THE

HISTORY
OF
SCOTLAND,

DURING THE REIGNS OF

QUEEN MARY, AND KING JAMES VI.

TILL

HIS ACCESSION TO THE CROWN OF ENGLAND.

WITH

A REVIEW of the SCOTTISH HISTORY
previous to that Period;

And an APPENDIX containing ORIGINAL PAPERS.

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IN THREE VOLUMES.

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THE

AUTHOR'S PREFACE.

I DELIVER this book to the world with all the diffidence and anxiety natural to an Author on publiſhing his firſt performance. The time I have employed, and the pains I have taken, in order to render it worthy of the public approbation, it is, perhaps, prudent to conceal, till it be known whether that approbation ſhall ever be beſtowed upon it.

But as I have departed, in many inſtances, from former Hiſtorians, as I have placed facts in a different light, and have drawn characters with new colours, I ought to account for this conduct to my readers; and to produce the evidence, on which, at the diſtance of two centuries, I preſume to contradict the teſtimony of cotemporary, or of leſs remote Hiſtorians.

The tranſactions in Mary's reign gave riſe to two parties, which were animated againſt each other with the fierceſt political hatred, embittered by religious zeal. Each of theſe produced Hiſtorians of conſiderable merit, who adopted all their ſentiments, and defended all their actions. Truth, however, was not the ſole object of theſe Authors. Blinded by prejudices, and heated by the part which they themſelves had acted in the ſcenes they deſcribe, they wrote an apology for a faction, rather than the hiſtory of their country. Succeeding hiſtorians have followed theſe guides almoſt implicitly, and have repeated their errors and miſrepreſentations. But as the ſame paſſions which inflamed parties in that age have deſcended to their poſterity; as

from the originals in the Cottonian Library and Paper Office, by the late Reverend Mr. Crawford, Regius Profeſſor of Church Hiſtory in the univerſity of Edinburgh. I likewiſe received from him the original Regiſter of Letters kept by the Regent Lennox during his adminiſtration.

I have conſulted all theſe papers as far as I thought they could be of any uſe towards illuſtrating that period of which I write the hiſtory. With what ſucceſs I have employed them to confirm what was already known, to aſcertain what was dubious, or to determine what was controverted, the public muſt judge.

I might eaſily have drawn from the different repoſitories to which I had acceſs, as many papers as would have rendered my Appendix equal in ſize to the moſt bulky collection of my predeceſſors. But I have ſatisfied myſelf with publiſhing a few of the moſt curious among them, to which I found it neceſſary to appeal as vouchers for my own veracity. None of theſe, as far as I can recollect, ever appeared in any former collection.

I have added to the Appendix a *Critical Diſſertation concerning the murder of King Henry, and the genuineneſs of the Queen's letters to Bothwell.* The facts and obſervations which relate to Mary's letters, I owe to my friend, Mr. John Davidſon, one of the Clerks to the Signet, who hath examined this point with his uſual acuteneſs and induſtry.

THE

HISTORY

OF

SCOTLAND.

BOOK FIRST.

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THE first ages of the Scottish history are dark and fabulous. Nations, as well as men, arrive at maturity by degrees, and the events, which happened during their infancy or early youth, cannot be recollected, and deserve not to be remembered. The gross ignorance which anciently covered all the North of Europe, the continual migrations of its inhabitants, and the frequent and destructive revolutions which these occasioned, render it impossible to give any authentic account of the origin of the different kingdoms now established there. Every thing beyond that short period to which well at-

tested annals reach, is obscure; an immense space is left for invention to occupy; each nation, with a vanity inseparable from human nature, hath filled that void with events calculated to display its own antiquity and lustre. An history, which ought to record truth and to teach wisdom, often sets out with retailing fictions and absurdities.

The Scots carry their pretensions to antiquity as high as any of their neighbours. Relying upon uncertain legends, and the traditions of their bards, still more uncertain, they reckon up a series of kings several ages before the birth of Christ, and give a particular detail of the occurrences which happened in their reigns. But with regard to the Scots, as well as the other northern nations, we receive the earliest accounts on which we can depend, not from their own, but from the Roman authors. When the Romans, under Agricola, first carried their arms into the northern parts of Britain, they found it possessed by the Caledonians, a fierce and warlike people; and having repulsed, rather than conquered them, they erected a strong wall between the friths of Forth and Clyde, and there fixed the boundaries of their empire. Adrian, on account of the difficulty of defending such a distant frontier, contracted the limits of the Roman province in Britain, by building a second wall, which ran between Newcastle and Carlisle. The ambition of succeeding emperors endeavoured to recover what Adrian had abandoned; and the country between the two walls was alternately under the dominion of the Romans, and the Caledonians. About the beginning of the 5th century, the inroads of the Goths and other barbarians obliged the Romans, in order to defend the centre of their empire, to recal those legions which guarded the frontier provinces, and at that time they quitted all their conquests in Britain.

Their long residence in the island had polished, in some degree, the rude inhabitants, and the Britons were indebted to their intercourse with the Romans for the art of writing and the use of numbers, without which it is impossible long to preserve the memory of past events.

North Britain was, by their retreat, left under the dominion of the Scots and Picts. The former, who are not mentioned by any Roman author, before the end of the 4th century, were probably a colony of Celtæ, or Gauls; their affinity to whom appears from their language, their manners, and religious rites; circumstances more decisive, with regard to the origin of nations, than either fabulous traditions, or the tales of ill-informed and credulous annalists. The Scots, if we may believe the common accounts, settled at first in Ireland; and, extending themselves by degrees, landed at last on the coasts opposite to that island, and fixed their habitations there. Fierce and bloody wars were, during several ages, carried on between them and the Picts. At length Kenneth II. the sixty-ninth king of the Scots (according to their own fabulous authors) obtained a complete victory over the Picts, and united under one monarchy, the whole country, from the wall of Adrian, to the northern ocean. And his kingdom became known by its present name, which it derived from a people at first settled there as strangers, and remained long obscure and inconsiderable.

From this period, the history of Scotland would merit some attention, were it accompanied with any certainty. But as our remote antiquities are involved in the same darkness with those of other nations, a calamity peculiar to ourselves has thrown almost an equal obscurity over our more recent transactions. This was occasioned by the malicious policy of Edward I. of England. Towards the end of the 13th century, this monarch called in question the independency of Scotland; pretending that that kingdom was held as a fief of the crown of England, and subjected to all the conditions of a feudal tenure. In order to establish his claim, he seized the public archives, he ransacked churches and monasteries, and getting possession, by force or fraud, of many historical monuments, that tended to prove the antiquity or freedom of the kingdom, he carried some of them into England, and com-

manded the reſt to be burned*. An univerſal oblivion of paſt tranſactions might have been the effect of this fatal event, but ſome imperfect chronicles had eſcaped the rage of Edward; foreign writers had recorded ſome important facts relating to Scotland; and the traditions concerning recent occurrences were freſh and worthy of credit. Theſe broken fragments, John de Fordun, who lived in the 14th century, collected with a pious induſtry, and from them picked out materials, which he formed into a regular hiſtory. His work was received by his countrymen with applauſe; and as no recourſe could be had to more ancient records, it ſupplied the place of the authentic annals of the kingdom. It was copied in many monaſteries, and the thread of the narrative was, by different monks, continued through the ſubſequent reigns. In the beginning of the 16th century, John Major and Hector Boethius publiſhed their hiſtories of Scotland, the former a ſuccinct and dry writer, the latter a copious and florid one, and both equally credulous. Not many years after, Buchanan undertook the ſame work; and if his accuracy and impartiality had been, in any degree, equal to the elegance of his taſte, and to the purity and vigour of his ſtyle, his hiſtory might be placed on a level with the moſt admired compoſitions of the ancients. But, inſtead of rejecting the improbable tales of chronicle writers, he was at the utmoſt pains to adorn them; and hath clothed with all the beauties and graces of fiction, thoſe legends, which formerly had only its wildneſs and extravagance.

The hiſtory of Scotland may properly be divided into four periods. The firſt reaches from the origin of the monarchy, to the reign of Kenneth II. The ſecond, from Kenneth's conqueſt of the Picts, to the death of Alexander III. The third extends to the death of James V. The laſt, from thence to the acceſſion of James VI. to the crown of England.

The firſt period is the region of pure fable and con-

* Innes, Eſſay 552.

jecture, and ought to be totally neglected, or be abandoned to the industry and credulity of antiquaries. Truth begins to dawn in the second period, with a light, feeble at first, but gradually increasing; and the events which then happened, may be slightly touched, but merit no particular or laborious inquiry. In the third period, the history of Scotland, chiefly by means of records preserved in England, becomes more authentic: not only are events related, but their causes and effects explained; the characters of the actors are displayed; the manners of the age described; the revolutions in the constitution pointed out; and here every Scotsman should begin, not only to read, but to study the history of his country. During the fourth period, the affairs of Scotland were so mingled with those of other nations, its situation in the political state of Europe was so important, its influence on the operations of the neighbouring kingdoms was so visible, that its history becomes an object of attention to foreigners, and without some knowledge of the various and extraordinary revolutions which happened there, they cannot form a just notion either of the most illustrious events, or of the character of the most distinguished personages in the 16th century.

The following history is confined to the last of these periods. To give a view of the political state of the kingdom, during that which immediately preceded it, is the design of this preliminary book. The imperfect knowledge which strangers have of the affairs of Scotland, and the prejudices Scotsmen themselves have imbibed with regard to the various revolutions in the government of their country, rendered such an introduction equally necessary to both.

The period, from the death of Alexander III. to the death of James V. contains upwards of two centuries and an half, from the year 1286, to the year 1542.

It opens with the famous controversy concerning the independency of Scotland; before the union of the two kingdoms, this was a question of much importance. If the one crown had been considered not as imperial and

independent, but as feudatory to the other, a treaty of union could not have been concluded on equal terms, and every advantage which the dependent kingdom procured, muſt have been eſteemed the conceſſion of a ſovereign to his vaſſal. Accordingly, about the beginning of the preſent century, and while a treaty of union between the two kingdoms was on foot, this controverſy was agitated with all the heat, which national animoſities naturally inſpire. What was then a ſubject of ſerious concern, the union of the two kingdoms hath rendered a matter of mere curioſity. But though the objects, which at that time warned and intereſted both nations, exiſt no longer, a queſtion, which appeared ſo momentous to our anceſtors, cannot be altogether indifferent or uninſtructive to us.

Some of the northern counties of England were early in the hands of the Scottiſh kings, who, as far back as the feudal cuſtoms can be traced, held theſe poſſeſſions of the kings of England, and did homage to them on that account. This homage, due only for the territories which they held in England, was in noways derogatory from the royal dignity. Nothing is more ſuitable to feudal ideas, than that the ſame perſon ſhould be both a lord and a vaſſal, independent in one capacity, and dependent in another*. The crown of England

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* A very ſingular proof of this occurs in the French hiſtory.—Arpin ſold the *viſcompte* of the city of Bourges to Philip I. who did homage to the count of Sancerre for a part of theſe lands, which held of that nobleman, A.D. 1100. I believe that no example of a king's doing homage to one of his own ſubjects is to be met with in the hiſtories either of England or Scotland. Philip le Bell aboliſhed this practice in France, A.D. 1302. Henaut. Abrege Chron. Somewhat ſimilar to this, is a charter of the abbot of Melroſs, A.D. 1535, conſtituting James V. the bailiff or ſteward of that abbey, veſting in him all the powers which pertained to that office, and requiring him to be anſwerable to the abbot for his exerciſe of the ſame. Archiv. publ. Edin.

was, without doubt, imperial and independent, though the princes who wore it were, for many ages, the vaſſals of the kings of France; and, in conſequence of their poſſeſſions in that kingdom, bound to perform all the ſervices, which a feudal ſovereign has a title to exact. The ſame was the condition of the monarchs of Scotland, free and independent as kings, but, as poſſeſſing Engliſh territories, vaſſals to the king of England. The Engliſh monarchs, content with their legal and uncontroverted rights, were neither capable, nor had any thoughts of uſurping more. England, when conquered by the Saxons, being divided by them into many ſmall kingdoms, was in no condition to extend its dominion over Scotland, united at that time under one monarch. And though theſe petty principalities were gradually formed into one kingdom, the reigning princes, expoſed to continual invaſions of the Danes, and often ſubjected to the yoke of theſe formidable pirates, ſeldom turned their arms towards Scotland, and were utterly incapable of eſtabliſhing new rights in that country. The firſt kings of the Norman race, buſied with introducing their own laws and manners into the kingdom which they had conquered, or with maintaining themſelves on the throne, which ſome of them poſſeſſed by a very dubious title, were as little anxious to acquire new authority, or to form new pretenſions in Scotland. An unexpected calamity that befel one of the Scottiſh kings firſt encouraged the Engliſh to think of bringing his kingdom under dependence. William*, king of Scotland, being taken priſoner at Alnwick, Henry II. as the price of his liberty, not only extorted from him an exorbitant ranſom and a promiſe to ſurrender the places of greateſt ſtrength, but compelled him to do homage for his whole kingdom. Richard I. a generous prince, ſolemnly renounced the claim of this homage, and abſolved William from the hard conditions which Henry had impoſed. Upon the death of Alexander III. near a century after, Edward I. availing

* Sirnamed the Lion.

himſelf of the ſituation of affairs in Scotland, acquired an influence in that kingdom, which no Engliſh monarch before him ever poſſeſſed, and imitating the intereſted policy of Henry, rather than the magnanimity of Richard, revived the claim of ſovereignty to which the former had pretended.

Margaret of Norway, grand daughter of Alexander, and heir to his crown, did not long ſurvive him. The right of ſucceſſion belonged to the deſcendents of David, earl of Huntington, third ſon of David I. Among theſe, Robert Bruce and John Baliol, two illuſtrious competitors for the crown, appeared. Bruce was the ſon of Iſabel, earl David's ſecond daughter; Baliol, the grand-ſon of Margaret, the eldeſt daughter. According to the rules of ſucceſſion which are now eſtabliſhed, the right of Baliol was preferable, and, notwithſtanding Bruce's plea of being nearer in blood to earl David, Baliol's claim, as the repreſentative of his mother and grand-mother, would be deemed inconteſtible. But, in that age, the order of ſucceſſion was not aſcertained with the ſame preciſion. The queſtion appeared to be no leſs intricate, than it was important. And though the prejudices of the people, and perhaps the laws of the kingdom, favoured Bruce, each of the rivals were ſupported by a powerful faction. Arms alone, it was feared, muſt terminate a diſpute too weighty for the laws to decide. But, in order to avoid the miſeries of a civil war, Edward was choſen umpire, and both parties agreed to acquieſce in his decree. This had well nigh proved fatal to the independence of Scotland; and the nation, by its eagerneſs to guard againſt a civil war, was not only expoſed to that calamity, but almoſt ſubjected to a foreign yoke. Edward was artful, brave, enterprizing, and commanded a powerful and martial people, at peace with the whole world. The anarchy which prevailed in Scotland, and the ambition of competitors ready to ſacrifice their country in order to obtain even a dependent crown, invited him firſt to ſeize, and then to ſubject the kingdom. The authority of an umpire, which had been unwarily beſtowed upon

him, and from which the Scots dreaded no dangerous conſequences, enabled him to execute his ſchemes with the greater facility. Under pretext of examining the queſtion with the utmoſt ſolemnity, he ſummoned all the Scottiſh barons to Norham, and having gained ſome, and intimidated others, he prevailed on all who were preſent, not excepting Bruce and Baliol, the competitors, to acknowledge Scotland a fief of the Engliſh crown, and to ſwear fealty to him, as their *ſovereign*, or *liege lord*. This ſtep led to another ſtill more important. As it was vain to pronounce a ſentence which he had not power to execute, Edward demanded poſſeſſion of the kingdom, that he might be able to deliver it to him whoſe right ſhould be found preferable. And, ſuch was the puſillanimity of the nobles, and the impatient ambition of the competitors, that both aſſented to this ſtrange demand, and Gilbert de Umphraville, earl of Angus, was the only man, who refuſed to ſurrender the caſtles in his cuſtody to the enemy of his country. Edward, finding Baliol the moſt obſequious and the leaſt formidable of the two competitors, ſoon after gave judgment in his favour. Baliol once more profeſſed himſelf the vaſſal of England, and ſubmitted to every condition, which the ſovereign whom he had now acknowledged was pleaſed to preſcribe.

Edward having thus placed a creature of his own upon the throne of Scotland, and compelled the nobles to renounce the ancient liberties and independence of their country, had reaſon to conclude that his dominion was now fully eſtabliſhed. But he began too ſoon to aſſume the maſter; his new vaſſals, fierce and independent, bore with impatience a yoke to which they were not accuſtomed. Provoked by his haughtineſs, even the paſſive ſpirit of Baliol began to mutiny. But Edward, who had no longer uſe for ſuch a pageant king, forced him to reſign the crown, and openly attempted to ſeize it, as fallen to himſelf by the rebellion of his vaſſal. At that critical period arose Sir William Wallace, a hero, to whom the fond admiration of his countrymen hath aſcribed many fabulous

acts of prowess; though his real valour, as well as integrity and wisdom, is such as needs not the heightenings of fiction. He, almost single, ventured to take arms in defence of the kingdom, and his boldness revived the spirit of his countrymen. At last, Robert Bruce, the grandson of him who stood in competition with Baliol, appeared to assert his own rights, and to vindicate the honour of his country. The nobles, ashamed of their former baseness, and enraged at the many indignities offered to the nation, crowded to his standard. In order to crush him at once, the English monarch entered Scotland at the head of a mighty army. Many battles were fought, and the Scots, though often vanquished, were not subdued. The ardent zeal with which the nobles contended for the independency of the kingdom, the prudent valour of Bruce, and above all a national enthusiasm inspired by such a cause, baffled the repeated efforts of Edward, and counterbalanced all the advantages which he derived from the number and wealth of his subjects. And though the war continued with little intermission upwards of seventy years, Bruce and his posterity kept possession of the throne of Scotland, and ruled with an authority not inferior to that of its former monarchs.

But while the sword, the ultimate judge of all disputes between contending nations, was employed to terminate this controversy, neither Edward nor the Scots seemed to distrust the justice of their cause; and both appealed to history and records, and from these produced, in their own favour, such evidence, as they pretended to be unanswerable. The letters and memorials addressed by each party to the pope, who was then reverenced as the common father, and often appealed to as the common judge of all Christian princes, are still extant. The fabulous tales of the early British history, the partial testimony of ignorant chroniclers, supposititious treaties and charters, are the proofs, on which Edward founded his title to the sovereignty of Scotland; and the homage done by the Scottish monarchs for their lands in England, is preposterously sup-

posed to imply the subjection of their whole kingdom*. Ill-founded as their right was, the English did not fail to revive it in all the subsequent quarrels between the two kingdoms; while the Scots disclaimed it with the utmost indignation. To this we must impute the fierce and implacable hatred to each other, which long inflamed both. Their national antipathies were excited, not only by the usual circumstances of frequent hostilities and reciprocal injuries, but the English considered the Scots as vassals who had presumed to rebel, and the Scots, in their turn, regarded the English as usurpers who aimed at enslaving their country.

At the time when Robert Bruce began his reign in Scotland, the same form of government was established in all the kingdoms of Europe. And the surprising similarity in their constitution and laws demonstrates that the nations which overturned the Roman empire, and erected these kingdoms, though divided into different tribes, and distinguished by different names, were originally the same people. When we take a view of the feudal system of laws and policy, that stupendous and singular fabric erected by them, the first object that strikes us is the king. And when we are told that he is the sole proprietor of all the lands within his dominions, that all his subjects derive their possessions from him, and in return consecrate their lives to his service; when we hear that all marks of distinction, and titles of dignity, flow from him, as the only fountain of honour; when we behold the most potent peers, on their bended knees, and with folded hands, swearing fealty at his feet, and acknowledging him to be their *sovereign* and their *liege lord*, we are apt to pronounce him a powerful, nay an absolute monarch. No conclusion, however, would be more rash, or worse founded. The genius of the feudal government was purely aristocratical. With all the ensigns of royalty,

* Anderson's Historical Essay concerning the Independency, &c.

and with many appearances of despotic power, a feudal king was the most limited of all princes.

Before they sallied out of their own habitations, to conquer the world, many of the northern nations seem to have been subject to the government of kings*; and even where monarchical government was established, the prince possessed but little authority. A general, rather than a king, his military command was extensive, his civil jurisdiction almost nothing†. The army which he led was not composed of soldiers, who could be compelled to serve, but of such as voluntarily followed his standard‡. These conquered not for their leader, but for themselves, and being free in their own country, renounced not their liberty when they acquired new settlements. They did not exterminate the ancient inhabitants of the countries which they subdued, but seizing the greater part of their lands, they took their persons under protection. And the difficulty of maintaining a new conquest, as well as the danger of being attacked by new invaders, rendering it necessary to be always in a posture of defence, the form of government which they established was altogether military, and nearly resembled that to which they had been accustomed in their native country. Their general still continuing to be the head of the colony, part of the conquered lands were allotted to him; the remainder, under the name of *beneficia*, or *fiefs*, was divided amongst his principal officers. As the common safety required that these officers should, upon all occasions, be ready to appear in arms for the common defence, and should continue obedient to their general, they bound themselves to take the field, when called, and to serve him with a number of men, in proportion to the extent of their territory. These great officers again parcelled out their lands among their followers, and annexed the same condition to the grant. A feudal kingdom was properly the encampment of a great army; mili-

* Cæs. lib. vi. c. 23. † Tacit. de Mor. Germ. c. 7. 11.
‡ Cæs. lib. vi. c. 23.

tary ideas predominated, military ſubordination was eſtabliſhed, and the poſſeſſion of land was the pay which ſoldiers received for their perſonal ſervice. In conſequence of theſe notions, the poſſeſſion of land was granted during pleaſure only, and kings were elective. In other words, an officer, diſagreeable to his general, was deprived of his pay, and the perſon who was moſt capable of conducting an army, was choſen to command it. Such were the firſt rudiments, or infancy of feudal government.

But long before the beginning of the 14th century, the feudal ſyſtem had undergone many changes, of which the following were the moſt conſiderable.—Kings, formerly elective, were then hereditary; and fiefs, granted at firſt during pleaſure, deſcended from father to ſon, and were become perpetual. Theſe changes, not leſs advantageous to the nobles than to the prince, made no alteration in the ariſtocratical ſpirit of the feudal conſtitution. The king, who, at a diſtance, ſeemed to be inveſted with majeſty and power, appears, on a nearer view, to poſſeſs none of theſe advantages, which beſtow on monarchs their grandeur and authority. His revenues were ſcanty, he had not a ſtanding army, and he enjoyed no proper juriſdiction.

At a time when pomp and ſplendor were unknown, even in the palaces of kings; when the officers of the crown received little ſalary beſides the fees and perquiſites of their office; when embaſſies to foreign courts were rare; when armies were compoſed of ſoldiers who ſerved without pay; it was not neceſſary that a king ſhould poſſeſs a great revenue; nor did the condition of Europe, in thoſe ages, allow its princes to be opulent. Commerce made little progreſs in the kingdoms, where the feudal government was eſtabliſhed. Inſtitutions, which had no other object but to inſpire a martial ſpirit, or to train men up to be ſoldiers, and to make arms the only honourable profeſſion, naturally diſcouraged the commercial arts. The revenues, ariſing from the taxes impoſed on the different branches of

commerce, were by consequence inconsiderable, and the prince's treasury received little supply from a source which, among a trading people, flows with such abundance, and is almost inexhaustible. A fixed tax was not levied even on land; such a burthen would have appeared intolerable to men who received their estates as the reward of their valour, and who considered their service in the field as a full retribution for what they possessed. The king's *demesnes*, or the portion of land which he still retained in his own hands unalienated, furnished subsistence to his court, and defrayed the ordinary expence of government*. The only stated taxes which the feudal law obliged vassals to pay to the king, or to those of whom they held their lands, were three; one when his eldest son was made a knight; another when his eldest daughter was married; and a third in order to ransom him if he should happen to be taken a prisoner. Besides these, the king received the feudal casualties of the ward, marriage, &c. of his own vassals. And, on some extraordinary occasions, his subjects granted him an aid, which they distinguished by the name of a *benevolence*, in order to declare that he received it not in consequence of any right, but as a voluntary gift, flowing from their good will†. All these added together produced a revenue scanty and precarious, which, far from enabling the king to attempt any thing that could excite the jealousy or fear of the nobles, kept him in continual indigence, anxiety, and dependence.

Nor could the king supply the defect of his revenues by the terror of his arms. Mercenary troops and standing armies were unknown as long as the feudal government subsisted in vigour. Europe was peopled with soldiers. The vassals of the king, and the subvassals of the barons, were all obliged to carry arms. And while the poverty of princes prevented them from

* Craig. de Feud. lib. 1. Dieg. 14. Du Cange Gloss. voc. Dominicum.

† Du Cange voc. Auxilium.

fortifying their frontier towns, while a campaign continued but a few weeks, and while a fierce and impetuous courage was impatient to bring every quarrel to the decision of a battle, an army without pay, and with little discipline, was sufficient for all purposes, both for the security and glory of a nation. Such an army, however, far from being an engine at the king's disposal, was often no less formidable to him than to his enemies. The more warlike any people were, the more independent they became; and the same persons being both soldiers and subjects, civil privileges and immunities were the consequence of their victories, and the reward of their martial exploits. Conquerors, whom mercenary armies, under our present forms of government, often render the tyrants of their own people, as well as the scourges of mankind, were commonly, under the feudal constitution, the most indulgent of all princes to their subjects, because they stood most in need of their assistance. A prince, whom even war and victories did not render the master of his own army, possessed no shadow of military power during times of peace. His disbanded soldiers mingled with his other subjects; not a single man received pay from him; many ages elapsed before a guard was appointed to defend his person; and destitute of that great instrument of dominion, a standing army, the authority of the king continued always feeble, and was often contemptible.

Nor were these the only circumstances which contributed towards depressing the regal power. By the feudal system, the king's judicial authority was extremely circumscribed. At first, princes seem to have been the supreme judges of their people, and in person heard and determined all controversies among them. The multiplicity of causes soon made it necessary to appoint judges, who, in the king's name, decided matters that belonged to the royal jurisdiction. But the barbarians, who over-ran Europe, having destroyed most of the great cities, and the countries which they seized being cantoned out among powerful barons, who were blind-

ly followed by numerous vassals, whom, in return, they were bound to protect from every injury; the administration of justice was greatly interrupted, and the execution of any legal sentence became almost impracticable. Theft, rapine, murder, and disorder of all kinds prevailed in every kingdom of Europe, to a degree almost incredible, and scarce compatible with the subsistence of civil society. Every offender sheltered himself under the protection of some powerful chieftain, who screened him from the pursuits of justice. To apprehend, and to punish a criminal, often required the union and effort of half a kingdom*. In order to

* A remarkable instance of this occurs in the following history, so late as the year 1561. Mary having appointed a court of justice to be held on the borders, the inhabitants of no less than eleven counties were summoned to guard the person who was to act as judge, and to enable him to enforce his decisions. The words of a proclamation, which afford such a convincing proof of the feebleness of the feudal government, deserve our notice.—"And because it is necessary for the execution of her highness' commandments and service, that her justice be well accompanied, and her authority sufficiently fortified, by the concurrence of a good power of her faithful subjects—Therefore commands and charges all and sundry earls, lords, barons, freeholders, landed men, and other gentlemen, dwelling within the said counties, that they, and every one of them, with their kin, friends, servants, and household men, well bodin in the feir of war, in the most substantious manner, (i.e. completely armed and provided), and with twenty days victuals, to meet and to pass toward him to the borough of Jedburgh, and there to remain during the said space of twenty days, and to receive such direction and commands as shall be given by him to them, in our sovereign lady's name, for the quietness of the country; and to put the same in execution, under the pain of losing their life, lands, and goods." Keith's Hist. of Scotland, 198.

remedy these evils, many persons of distinction were intrusted with the administration of justice within their own territories. But what we may presume was, at first, only a temporary grant, or a personal privilege, the incroaching spirit of the nobles soon converted into a right, and rendered hereditary. The lands of some were erected into *baronies*, those of others into *regalities*. The jurisdiction of the former was extensive, that of the latter, as the name implies, royal and almost unbounded. All causes, whether civil or criminal, were tried by judges, whom the lord of the regality appointed; and if the king's court called any person within his territory before them, the lord of regality might put a stop to their proceedings, and by the privilege of *repledging*, remove the cause to his own court, and even punish his vassal, if he submitted to a foreign jurisdiction †. Thus almost every question in which any person, who resided on the lands of the nobles, was interested, being determined by judges appointed by the nobles themselves, their vassals were scarce sensible of being, in any degree, subject to the crown. A feudal kingdom was split into many small principalities, almost independent and held together by a feeble, and commonly an imperceptible bond of union. And the king was not only stripped of the authority annexed to the person of a supreme judge, but his revenue suffered no small diminution, by the loss of those pecuniary emoluments, which were, in that age, due to the person who administered justice.

In the same proportion that the king sunk in power, the nobles rose towards independence. Not satisfied with having obtained a hereditary right to their fief, which they formerly held during pleasure, their ambition aimed at something bolder, and by introducing *entails*, endeavoured, as far as human ingenuity and invention can reach that end, to render their possessions unalienable and everlasting. As they had full power to add to the inheritance transmitted to them from their an-

† Craig, lib. iii. Dieg. 7.

ceſtors, but none to diminiſh it; time alone, by means of marriages, legacies, and other accidents brought continual acceſſions of wealth, and of dignity: a great family, like a river, became conſiderable from the length of its courſe, and as it rolled on, new honours and new property flowed ſucceſſively into it. Whatever influence is derived from titles of honour, the feudal nobles, likewiſe poſſeſſed in an ample manner. Theſe marks of diſtinction are, in their own nature, either official or perſonal, and being annexed to a particular charge, or beſtowed by the admiration of mankind upon illuſtrious characters, ought to be appropriated to theſe. But the ſon, however unworthy, could not bear to be ſtripped of that appellation, by which his father had been diſtinguiſhed. His preſumption claimed, what his virtue did not merit; titles of honour became hereditary, and added new luſtre to nobles already in poſſeſſion of too much power. Something more audacious and more extravagant ſtill remained. The ſupreme direction of all affairs, both civil and military, being committed to the great officers of the crown, the fame and ſafety of princes, as well as of their people, depended upon the fidelity and abilities of theſe officers. But ſuch was the prepoſterous ambition of the nobles, and ſo ſucceſsful even their wildeſt attempts to aggrandize themſelves, that in all the kingdoms where the feudal inſtitutions prevailed, moſt of theſe offices were annexed to great families, and held like fiefs, by hereditary right. A perſon, whoſe undutiful behaviour rendered him odious to his prince, or whoſe incapacity expoſed him to the contempt of the people, often held a place of power and truſt, of the greateſt importance to both. In Scotland, the offices of lord juſtice general, great chamberlain, high ſteward, high conſtable, earl marſhal, and high admiral, were all hereditary; and in many counties, the office of ſheriff was held in the ſame manner.

Nobles, whoſe property was ſo extenſive, and whoſe power ſo great, could not fail of being turbulent and formidable. Nor did they want inſtruments for executing their boldeſt deſigns. That portion of their

lands, which they parcelled out among their followers, ſupplied them with a numerous band of faithful and determined vaſſals; while that, which they retained in their own hands, enabled them to live with a princely ſplendour. The great hall of an ambitious baron was often more crowded than the court of his ſovereign. The ſtrong caſtles, in which they reſided, afforded a ſecure retreat to the diſcontented and ſeditious. A great part of their revenue was ſpent upon multitudes of indigent, but bold retainers. And if at any time they left their retreat, to appear in the court of their ſovereign, they were accompanied, even in times of peace, with a vaſt train of armed followers. The uſual retinue of William the ſixth earl of Douglas conſiſted of two thouſand horſe. Thoſe of the other nobles were magnificent and formidable in proportion. Impatient of ſubordination, and forgetting their proper rank, theſe potent and haughty barons were the rivals, rather than the ſubjects of their prince. They often deſpiſed his orders, inſulted his perſon, and wreſted from him his crown. And the hiſtory of Europe during ſeveral ages, contains little elſe, but the account of the wars and revolutions, occaſioned by their exorbitant ambition.

But, if the authority of the barons far exceeded its proper bounds in the other nations of Europe, we may affirm that the balance which ought to be preſerved between a king and his nobles was entirely loſt in Scotland. The Scottiſh nobles enjoyed, in common with thoſe of other nations, all the means for extending their authority which ariſe from the ariſtocratical genius of the feudal government. Beſides theſe, they poſſeſſed advantages peculiar to themſelves; the accidental ſources of their power were conſiderable; and ſingular circumſtances concurred with the ſpirit of the conſtitution to aggrandize them. To enumerate the moſt remarkable of theſe, will ſerve both to explain the political ſtate of the kingdom, and to illuſtrate many important occurrences, in the period now under our review.

I. The nature of their country was one cauſe of the power and independence of the Scottiſh nobles. Level

and open countries are formed for ſervitude. The authority of the ſupreme magiſtrate reaches with eaſe to the moſt diſtant corners, and when nature has erected no barrier, and affords no retreat, the guilty or obnoxious are ſoon detected, and puniſhed. Mountains, and fens, and rivers, ſet bounds to deſpotic power, and amidſt theſe, is the natural ſeat of freedom and independence. In ſuch places, did the Scottiſh nobles uſually fix their reſidence. By retiring to his own caſtle, a mutinous baron could defy the power of his ſovereign; it being impracticable to lead an army through a barren country, to places, almoſt inacceſſible to a ſingle man. The ſame cauſes, which checked the progreſs of the Roman arms, and rendered all the efforts of Edward I. abortive, often protected the Scottiſh nobles from the vengeance of their prince; and they owed their perſonal independence, to thoſe very mountains and marſhes, which ſaved their country from being conquered.

II. The want of great cities in Scotland contributed not a little to increaſe the power of the nobles, and to weaken that of the prince. Wherever numbers of men aſſemble together, order muſt be eſtabliſhed, and a regular form of government inſtituted, the authority of the magiſtrate muſt be recognized, and his deciſions meet with prompt and full obedience. Laws and ſubordination take riſe in cities; and where there are few cities as in Poland, or none as in Tartary, there are few or no traces of any ſort of police. But under the feudal governments, commerce, the chief means of aſſembling mankind, was neglected; the nobles, in order to ſtrengthen their influence over their vaſſals, reſided among them, and ſeldom appeared at court, when they found a ſuperior, or dwelt in cities, where they met with equals. In Scotland, the rich counties in the South lying open to the Engliſh, no town ſituated there could riſe to be great or populous amidſt continual inroads and alarms; the reſidence of our monarchs was not fixed to any particular place; many parts of the country were barren and uncultivated; and in conſequence of theſe peculiar circumſtances, added to the general cauſes

flowing from the nature of the feudal institutions, the towns in Scotland were extremely few, and very inconsiderable. The vassal of every baron occupied a distinct portion of the kingdom, and unmingled with others, formed a separate and almost independent society. Instead of giving aid towards reducing to obedience their seditious chieftain, or any whom he took under his protection, they were all in arms for his defence, and obstructed the operations of justice to the utmost. The prince was obliged to connive at criminals, whom he could not reach; the nobles conscious of this advantage, were not afraid to offend; and the difficulty of punishing almost insured them of impunity.

III. The division of the country into clans had no small effect in rendering the nobles considerable. The nations which over-ran Europe, were originally divided into many small tribes; and when they came to parcel out the lands which they had conquered, it was natural for every chieftain to bestow a portion, in the first place, upon those of his own tribe or family. These all held their lands of him; and as the safety of each individual depended on the general union, these small societies clung together, and were distinguished by some common appellation, either patronymical or local, before the introduction of sirnames or *ensigns armorial*. But when these became common, the descendents and relations of every chieftain assumed the same name and arms with him; other vassals were proud to imitate their example, and by degrees they were communicated to all those who held of the same superior. Thus clanships were formed; and in a generation or two, that consanguinity which was at first, in a great measure, imaginary, was believed to be real. An artificial union was converted into a natural one; men willingly followed a leader, whom they regarded both as the superior of their lands, and the chief of their blood, and served him not only with the fidelity of vassals, but with the affection of friends. In the other feudal kingdoms, we may observe such unions as we have described, imperfectly formed; but in Scotland, whether they

were the production of chance, or the effect of policy, or introduced by the Irish colony above-mentioned, and strengthened by carefully preserving their genealogies, both genuine and fabulous, clanships were universal. Such a confederacy might be overcome, it could not be broken; and no change of manners, or of government, has been able, in some parts of the kingdom, to dissolve associations which are founded upon prejudices so natural to the human mind. How formidable were nobles at the head of followers, who, counting the cause just and honourable which their chiefs approved, were ever ready to take the field at his command, and to sacrifice their lives in defence of his person, or of his fame? Against such men, a king contended with great disadvantage, and that cold service, which money purchases, or authority extorts, was not an equal match for their ardor and zeal.

IV. The smallness of their number may be mentioned among the causes of the grandeur of the Scottish nobles. Our annals reach not back to the first division of property in the kingdom; but so far as we can trace the matter, the original possessions of the nobles seem to have been extensive. The ancient thanes were the equals and the rivals of their prince. Many of the earls and barons, who succeeded them, were the masters of territories no less ample. France and England, countries wide and fertile, afforded settlements to a numerous and powerful nobility. Scotland, a kingdom neither extensive nor rich, could not contain many such overgrown proprietors. But the power of an aristocracy always diminishes, in proportion to the increase of its numbers; feeble if divided among a multitude; irresistible if centered in a few. When nobles are numerous, their operations nearly resemble those of the people; they are roused by what they feel only, not by what they apprehend; and submit to many arbitrary and oppressive acts, before they take arms against their sovereign. A small body, on the contrary, is more sensible, and more impatient; quick in discerning, and prompt in repelling danger; all its motions are as sudden as those of the other are slow. Hence proceeded

the extreme jealousy with which the Scottish nobles observed their monarchs, and the fierceness with which they opposed their encroachments. Even the virtue of a prince did not render them less vigilant, or less eager to defend their rights, and Robert Bruce, notwithstanding the splendor of his victories, and the glory of his name, was upon the point of experiencing the vigour of their resistance, no less than his unpopular descendent James III. Besides this, the near alliance of the great families, by frequent intermarriages, was the natural consequence of their small number. And as consanguinity was, in those ages, a powerful bond of union, all the kindred of a nobleman interested themselves in his quarrels, as a common cause, and every contest the king had, though with a single baron, soon drew upon him the arms of the whole confederacy.

V. Those natural connexions both with their equals, and with their inferiors, the Scottish nobles strengthened by a device, which, if not peculiar to themselves, was at least more frequent among them than in any other nation. Even in times of profound peace they formed associations, which, when made with their equals, were called *leagues of mutual defence;* and when with their inferiors, *bonds of manrent*. By the former, the contracting parties bound themselves mutually to assist each other in all causes, and against all persons. By the latter, protection was stipulated on the one hand, and fidelity and personal service promised on the other*. Self-preservation, it is probable, forced men at first into these confederacies, and while disorder and rapine were universal, while government was unsettled, and the authority of laws little known or regarded, near neighbours found it necessary to unite in this manner for their security, and the weak were obliged to court the patronage of the strong. By degrees, these associations became so many alliances offensive and defensive against the throne; and as their obligations were held to be more sacred than any tie whatever,

* Act. 30. Parl. 1424. Act. 43. Parl. 1554.

they gave much umbrage to our kings, and contributed not a little to the power and independence of the nobility. In the reign of James II. William, the eighth earl of Douglas, entered into a league of this kind with the earls of Crawfurd, Rofs, Murray, Ormond, the Lords Hamilton, Balveny, &c. and fo formidable was this combination to the king, that he ftabbed Douglas with his own hand in order to diffolve it.

VI. The frequent wars between England and Scotland proved another caufe of augmenting the power of the nobles. Nature has placed no barrier between the two kingdoms; a river, almoft every where fordable, divides them towards the eaft; on the weft they are feparated by an imaginary line. The fmall revenues of our kings prevented them from fortifying, or placing garrifons in the towns on the frontier; nor would the jealoufy of their fubjects have permitted fuch a method of defence. The barons, whofe eftates lay near the borders, confidered themfelves as bound in honour and intereft to repel the enemy. The *wardenfhips* of the different *marches*, offices of great truft and dignity, were always beftowed on them. This gained them the leading of the warlike counties in the fouth; and their vaffals, living in a ftate of perpetual hoftility, or enjoying at beft an infecure peace, became more inured to war than even the reft of their countrymen, and more willing to accompany their chieftain in his moft hardy and dangerous enterprifes. It was the valour, no lefs than the number of their followers, that rendered the Douglaffes great. The nobles in the northern and midland counties, were often dutiful and obfequious to the crown, but our monarchs always found it impracticable to fubdue the mutinous and ungovernable fpirit of the borders. In all our domeftic quarrels, thofe who could draw to their fide the inhabitants of the fouthern counties, were fure of victory; and, confcious of this advantage, the lords who poffeffed authority there, were apt to forget the duty, which they owed their fovereign, and to afpire beyond the rank of fubjects.

VII. The calamities which befel our kings, contri-

buted more than any other cauſe to diminiſh the royal authority. Never was any race of monarchs ſo unfortunate as the Scottiſh. Of ſix ſucceſſive princes, from Robert III. to James VI. no one died a natural death; and the minorities, during that time, were longer and more frequent than ever happened in any other kingdom. From Robert Bruce to James VI. we reckon ten princes; and ſeven of theſe were called to the throne, while they were minors, and almoſt infants. Even the moſt regular and beſt eſtabliſhed governments feel ſenſibly the pernicious effects of a minority, and either become languid and inactive, or are thrown into violent and unnatural convulſions. But under the imperfect and ill adjuſted ſyſtem of government in Scotland, theſe effects were ſtill more fatal; and the fierce and mutinous ſpirit of the nobles, unreſtrained by the authority of a king, ſcorned all ſubjection to the delegated juriſdiction of a regent, or to the feeble commands of a minor. The royal authority was circumſcribed within narrower limits than ever; the prerogatives of the crown, naturally inconſiderable, were reduced almoſt to nothing; and the ariſtocratical power gradually roſe upon the ruins of the monarchical. Leſt the perſonal power of a regent ſhould enable him to act with too much vigour; the authority, annexed to that office, was ſometimes rendered inconſiderable by being divided; or if a ſingle regent was choſen, the greater nobles, and the heads of the more illuſtrious families, were ſeldom raiſed to that dignity. It was often conferred upon men who poſſeſſed little influence, and excited no jealouſy. They, conſcious of their own weakneſs, were obliged to overlook ſome irregularities, and to permit others; and, in order to ſupport their authority, which was deſtitute of real ſtrength, they endeavoured to gain the moſt powerful and active barons, by granting them poſſeſſions and immunities, which raiſed them to ſtill greater power. When the king himſelf came to aſſume the reins of government, he found his revenues waſted or alienated, the crown lands ſeized or given away, and the nobles ſo accuſtomed to independence, that after the ſtruggle of a whole reign, he was ſeldom

power which Boyd had been at ſo much pains to acquire, was of no long continuance; and the fall of his family, according to the fate of favourites, was ſudden and deſtructive; but upon its ruins, the family of Hamilton roſe, which ſoon attained the higheſt rank in the kingdom.

As the minority of James V. was longer, it was likewiſe more turbulent than thoſe of the preceding kings. And the contending nobles, encouraged or protected either by the king of France, or of England, formed themſelves into more regular factions, and diſregarded more than ever the reſtraints of order and authority. The French had the advantage of ſeeing one, devoted to their intereſt, raiſed to be regent. This was the duke of Albany, a native of France, and grandſon of James II. But Alexander lord Home, the moſt eminent of the Scottiſh peers, who ſurvived the fatal battle of Flowden, thwarted all his meaſures, during the firſt year of his adminiſtration; and the intrigues of the queen dowager, ſiſter of Henry VIII. rendered the latter part of it no leſs feeble. Though ſupported by French auxiliaries the nobles deſpiſed his authority, and regardleſs either of his threats, or his entreaties, peremptorily refuſed, two ſeveral times, to enter England, to the borders of which kingdom he had led them. Provoked by theſe repeated inſtances of contempt, the regent abandoned his troubleſome ſtation, and retiring to France, preferred the tranquillity of a private life to an office deſtitute of real authority. Upon his retreat, Douglas earl of Angus became maſter of the king's perſon, and governed the kingdom in his name. Many efforts were made to deprive him of his uſurped authority. But the numerous vaſſals and friends of his family adhered to him, becauſe he divided with them the power and emoluments of his office; the people reverenced and loved the name of Douglas; without the title of regent, he exerciſed a fuller and more abſolute authority than any who had enjoyed that dignity; and the ancient but dangerous pre-eminence of the Douglaſſes, ſeemed to be reſtored.

To these and to many other causes, omitted or unobserved by us, did the Scottish nobility owe that exorbitant and uncommon power, of which instances occur so frequently in our history. Nothing, however, demonstrates so fully the extent of their power, as the length of its duration. Many years after the declension of the feudal system in the other kingdoms of Europe, and when the arms or policy of princes had every where shaken or laid it in ruins, the foundations of that ancient fabric remained firm and untouched in Scotland.

The powers, which the feudal institutions vested in the nobles, soon became intolerable to all the princes of Europe, who longed to possess something more than a nominal and precarious authority. Their impatience to obtain this, precipitated Henry III. of England, Edward II. and some other weak princes, into rash and premature attempts against the privileges of the barons, in which they were disappointed or perished. Princes of greater abilities were content to mitigate evils which they could not cure; they sought occupation for the turbulent spirit of their nobles in frequent wars; and allowed their fierce courage to evaporate in foreign expeditions, which, if they brought no other advantage, secured at least domestic tranquillity. But time and accidents ripened the feudal governments for destruction. Towards the end of the 15th century, and beginning of the 16th, all the princes of Europe attacked, as if by concert, the power of their nobles. Men of genius then undertook with success, what their unskilful predecessors had attempted in vain. Louis XI. of France, the most profound and the most adventurous genius of that age, began, and, in a single reign, almost completed the scheme of their destruction. The sure, but concealed policy of Henry VII. of England, produced the same effect. The means, indeed, employed by these monarchs, were very different. The blow which Louis struck was sudden and fatal. The artifices of Henry resembled those slow poisons, which waste the constitution, but become not mortal till some

distant period. Nor did they produce consequences less opposite. Louis boldly added to the crown whatever he wrested from the nobles. Henry undermined his barons by encouraging them to sell their lands, which enriched the commons, and gave them a weight in the legislature unknown to their predecessors. But while these great revolutions were carrying on in two kingdoms with which Scotland was intimately connected, no alteration happened there; the king neither extended his own prerogative, nor enabled the commons to encroach upon the aristocracy; the nobles not only retained their ancient privileges and possessions, but daily made new acquisitions.

This was not owing to the attention of our princes or to their want of ambition. They were abundantly sensible of the exorbitant power of the nobles, and extremely solicitous to humble them. They did not, however, possess means sufficient for accomplishing that end. The resources of our monarchs were few, and the progress which they made inconsiderable. But as the number of their followers, and the extent of their jurisdiction, were the two chief circumstances which rendered the nobles formidable; in order to counterbalance the one, and to restrain the other, all our kings had recourse to the same expedients.

I. Among nobles of a fierce courage, and of unpolished manners surrounded with vassals bold and licentious, whom they were bound by interest and honour to protect, the causes of discord were many and unavoidable. And as the contending parties could seldom agree in acknowledging the authority of any common superior or judge, and their impatient spirit would seldom wait the slow decisions of justice, their quarrels were usually terminated by the sword. The offended baron assembled his vassals, and wasted the lands, or shed the blood of his enemy. To forgive an injury was mean, to forbear revenge infamous or cowardly*.

* The spirit of revenge was encouraged not only by the manners, but what is more remarkable, by the laws

Hence quarrels were transmitted from father to son, and, under the name of *deadly feuds*, subsisted for many generations with unmitigated rancour. It was the interest of the crown to foment, rather than to extinguish these; and by scattering or cherishing the seeds of discord among the nobles, that union, which would have rendered the aristocracy invincible, and which must at once have annihilated the prerogative, was effectually prevented. To the same cause our kings were indebted for the success with which they sometimes attacked the most powerful chieftains. They employed private revenge to aid the impotence of public laws, and arming against the person who had incurred their displeasure, those rival families which wished his fall, they rewarded their service by sharing among them the spoils of the vanquished. But this expedient, though it served to humble individuals, did not weaken the body of the nobles. Those, who were now the instruments of their prince's vengeance, became, in a

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of those ages. If any person thought the prosecution of an injury offered to his family, too troublesome, or too dangerous, the salique laws permitted him publicly to desist from demanding vengeance; but the same laws, in order to punish his cowardice and want of affection to his family, deprived him of the right of succession. Henaut. Abrege Chronol. p. 81. Among the Anglo-Saxons, we find a singular institution, distinguished by the name of *sodalitium*; a voluntary association, the object whereof was the personal security of those who joined in it, and which the feebleness of government at that time rendered necessary. Among other regulations, which are contained in one of those still extant, the following deserves notice. "If any associate shall either eat or drink with a person who has killed any member of the *sodalitium*, unless in the presence of the king, the bishop, or the count, and unless he can prove that he did not know the person, let him pay a great fine." Hicks' Dissert. Epistolar. apud Thesaur. Ling. Septentr. vol. i. p. 21.

short time, the objects of his fear. Having acquired power and wealth by serving the crown, they, in their turn, set up for independence; and though there might be a fluctuation of power and of property, though old families fell, and new ones rose upon their ruins, the rights of the aristocracy remained entire, and its vigour unbroken.

II. As the administration of justice is one of the most powerful ties between a king and his subjects, all our monarchs were at the utmost pains to circumscribe the jurisdiction of the barons, and to extend that of the crown. The external forms of subordination natural to the feudal system, favoured this attempt. An appeal lay from the judges and courts of the barons, to those of the king. The right, however, of judging in the first instance, belonged to the nobles, and they easily found means to defeat the effect of appeals, as well as of many other feudal regulations. The royal jurisdiction was almost confined within the narrow limits of the king's demesnes, beyond which, his judges claimed indeed, much authority, but possessed next to none. Our kings were sensible of these limitations, and bore them with impatience. But it was impossible to overturn, in a moment, what was so deeply rooted; or to strip the nobles, at once, of privileges which they had held so long, and which were wrought almost into the frame of the feudal constitution. To accomplish this, however, was an object of uniform and anxious attention to all our princes. James I. led the way here, as well as in other instances, towards a more regular and perfect police. He made choice, among the estates of parliament, of a certain number of persons, whom he distinguished by the name of *Lords of Session*, and appointed them to hold courts for determining civil causes, three times in the year, and forty days at a time, in whatever place he pleased to name. Their jurisdiction extended to all matters which formerly came under the cognizance of the king's council, and, being a committee of parliament, their decisions were final. James II. obtained a law annexing all re-

galities, which ſhould be forfeited, to the crown, and declaring the right of juriſdiction to be unalienable for the future. James III. impoſed ſevere penalties upon thoſe judges, appointed by the barons, whoſe deciſions ſhould be found on a review to be unjuſt; and by many other regulations endeavoured to extend the authority of his own court*. James IV. on pretence of remedying the inconveniencies ariſing from the ſhort terms of the court of ſeſſion, appointed other judges, called *Lords of Daily Council*. The *ſeſſion* was an ambulatory court, and met ſeldom; the daily council was fixed, and ſat conſtantly at Edinburgh; and though not compoſed of members of parliament, the ſame powers, which the lords of ſeſſion enjoyed, were veſted in it. At laſt, James V. erected a new court, which ſtill ſubſiſts, and which he named the *College of Juſtice*, the judges or *ſenators* of which were called *Lords of Council and Seſſion*. This court not only exerciſed the ſame juriſdiction which formerly belonged to the ſeſſion and daily council, but new rights were added. Privileges of great importance were granted to its members, its forms were preſcribed, its terms fixed, and regularity, power, and ſplendor conferred upon it. The perſons, conſtituted judges in all theſe different courts, had, in many reſpects, the advantage of thoſe who preſided in the courts of the barons; they were more eminent for their ſkill in law, their rules of proceeding were more uniform, and their deciſions more conſiſtent. Such judicatories became the objects of confidence and of veneration. Men willingly ſubmitted their property to their determination, and their encroachments on the juriſdictions of the nobles were popular, and for that reaſon ſucceſsful. By devices of a ſimilar nature, the juriſdiction of the nobles in criminal cauſes was reſtrained, and the authority of the court of *juſticiary* extended. The crown, in this particular, gaining inſenſibly upon the nobles, recovered more ample authority; and the king, whoſe juriſdiction once reſembled that of a ba-

* Act 26. P. 1469. Act 94. P. 1493. Act 99. P. 1487.

ron, rather than that of a sovereign*, came more and more to be considered as the head of the community, and the supreme dispenser of justice to his people. These acquisitions of our kings, however, though comparatively great, were in reality inconsiderable; and, notwithstanding all their efforts, the separate jurisdictions of the nobles remained, many of them, in great vigour; and their final abolition was reserved to a distant and more happy period.

* The most perfect idea of the feudal system of government may be attained by attending to the state of Germany, and to the history of France. In the former, the feudal institutions still subsist with great vigour; and though altogether abolished in the latter, the public records have been so carefully preserved, that the French lawyers and antiquaries have been enabled, with more certainty and precision, than those of any other country in Europe, to trace its rise, its progress and revolutions. In Germany, every principality may be considered as a fief, and all its great princes as vassals, holding of the emperor. They possess all the feudal privileges; their fiefs are perpetual; their jurisdiction within their own territories, separate and extensive; and the great offices of the empire are all hereditary, and annexed to particular families. At the same time the emperor retains many of the prerogatives of the feudal monarchs. Like them, his claims and pretensions are innumerable, and his power small; his jurisdiction within his own demesnes or hereditary countries, is complete; beyond the bounds of those it is almost nothing. And so permanent are feudal principles, that although the feudal system be overturned in almost every particular state in Germany, and although its princes have all become absolute, the original feudal constitution of the empire still remains, and ideas peculiar to that form of government, direct all its operations and determine the rights of all its princes. Our observations, with regard to the limited jurisdiction of the king under the feudal governments, are greatly illustrated by

But besides these methods of defending their prerogative, and humbling the aristocracy, which may be considered as common to all our princes, we shall find, by taking a review of their reigns, that almost every one of our kings, from Robert Bruce to James V. had formed some particular system for depressing the authority of the nobles, which was the object both of their jealousy and terror. The conduct of our monarchs, if we rest satisfied with the accounts of their historians, must be considered as flowing entirely from the resentment against particular noblemen; and all their attempts to humble them must be viewed as the sallies of private passion, not as the consequences of any general plan of policy. But, though some of their actions may be imputed to those passions, though the different genius of the men, the temper of the times, and the state of the nation necessarily occasioned great variety in their schemes, yet, without being chargeable with excessive refinement, we may affirm, that their end was uniformly the same. And the project of reducing the power of the aristocracy, sometimes avowed and pursued with vigour, sometimes concealed or seemingly suspended, was never altogether abandoned.

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what happened in France. The feebleness and dotage of the descendents of Charlemaigne encouraged the peers to usurp an independent jurisdiction. Nothing remained in the hands of the crown; all was seized by them. When Hugh Capet ascended the throne, A. D. 987, he kept possession of his private patrimony, the Comte of Paris, and all the jurisdiction which the kings his successors exercised for some time, was within its territories. There were only four towns in France, where he could establish GRANDS BAILLIS, or royal judges; all the other lands, towns, and baillages belonging to the nobles. The methods to which the French monarchs had recourse for extending their jurisdiction were exactly similar to those employed by our princes. Henault's Abrege, p. 617. &c. De L'Esprit des Loix, Liv. 30. ch. 20. &c.

No prince was ever more indebted to his nobles than Robert Bruce. Their valour conquered the kingdom, and placed him on the throne. His gratitude and generosity bestowed on them the lands of the vanquished. Property has seldom undergone greater or more sudden revolutions than those to which it was subject, at that time, in Scotland. Edward I. having forfeited the estates of most of the ancient Scottish nobles, granted them to his English subjects. These were expelled by the Scots, and their lands seized by new masters. Amidst such rapid changes, confusion was unavoidable; and many possessed their lands by titles extremely lame. During one of those truces between the two nations, occasioned rather by their being weary of war, than desirous of peace, Robert formed a scheme for checking the growing power and wealth of the nobles. He summoned them to appear, and to shew by what rights they held their lands. They assembled accordingly, and the question being put, they started up, at once, and drew their swords, "By these, said they, we acquired our lands, and with these we will defend them." The king intimidated by their boldness, prudently dropt the project. But so deeply did the nobles resent this attack upon their order, that notwithstanding Robert's popular and splendid virtues, it occasioned a dangerous conspiracy against his life.

David his son, at first an exile in France, afterwards a prisoner in England, and involved in a continual war with Edward III. had not leisure to attend to the internal police of his kingdom, or to think of retrenching the privileges of the nobility.

Our historians have been more careful to relate the military, than the civil transactions of the reign of Robert II. Skirmishes and inroads of little consequence, they describe minutely, but with regard to every thing that happened, during several years of tranquillity, they are altogether silent.

The feeble administration of Robert III. must likewise be passed over slightly. A prince, of a mean genius, and of a frail and sickly constitution, was no fit

person to enter the lists with active and martial nobles, or to attempt wresting from them any of their rights.

The civil transactions in Scotland are better known since the beginning of James I's reign, and a complete series of our laws supplies the defects of our historians. The English made some amends for their injustice in detaining that prince a prisoner, by their generous care of his education. During his long residence in England, he had an opportunity of observing the feudal system in a more advanced state, and refined from many of the imperfections which still adhered to it, in his own kingdom. He saw there nobles great, but not independent; a king powerful, though far from absolute; he saw a regular administration of government; wise laws enacted; and a nation flourishing and happy, because all ranks of men were accustomed to obey them. Full of these ideas, he returned into his native country, which presented to him a very different scene. The royal authority, never great, was now contemptible, by being so long delegated to regents. The ancient patrimony and revenues of the crown were almost totally alienated. During his long absence, the name of a king was little known, and less regarded. The licence of many years had rendered the nobles independent. Universal anarchy prevailed. The weak were exposed to the rapine and oppression of the strong. In every corner some barbarous chieftain ruled at pleasure, and neither feared the king, nor pitied the people*.

James was too wise a prince to employ open force to correct such inveterate evils. Neither the men, nor the times, would have borne it. He applied the gen-

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* A contemporary monkish writer describes these calamities very feelingly, in his rude Latin. In diebus illis, non erat lex in Scotia, sed quilibet potentiorum juniorem oppressit; et totum regnum fuit unum latrocinium; homicidia, deprædationes, incendia, et cætera maleficia remanserunt impunita; et justitia relegata extra terminos regni exulavit. Chartular. Moray. apud. Innes Essay, vol. i. p. 272.

tler and less offensive remedy of laws and statutes. In a parliament held immediately after his return, he gained the confidence of his people, by many wise laws, tending visibly to re-establish order, tranquillity, and justice in the kingdom. But, at the same time that he endeavoured to secure these blessings to his subjects, he discovered his intention to recover those possessions, of which the crown had been unjustly bereaved; and for that purpose obtained an act by which he was empowered to summon those, who had obtained crown lands during the three last reigns, to produce the rights by which they held them*. As this statute threatened the property of the nobles, another, which passed in a subsequent parliament, aimed a dreadful blow at their power. By it, the leagues and combinations which we have already described, and which rendered the nobles so formidable to the crown, were declared unlawful†. Encouraged by this success in the beginning of his enterprise, James's next step was still bolder and more decisive. During the sitting of parliament, he seized, at once, his cousin Murdo, duke of Albany, and his sons, the earls of Douglas, Lennox, Angus, March, and above twenty other peers and barons of prime rank. To all of them, however, he was immediately reconciled, except to Albany and his sons, and Lennox. These were tried by their peers and condemned; for what crime is now unknown. Their execution struck the nobles with terror, and their forfeiture added vast possessions to the crown. He seized, likewise, the earldoms of Buchan and Strathern, upon different pretexts, and that of Marr fell to him by inheritance. The patience and inactivity of the nobles, while the king was proceeding so rapidly towards aggrandizing the crown, are amazing. The only obstruction he met with was from a slight insurrection, headed by the duke of Albany's youngest son, and that was easily suppressed. The splendor and presence of a king, to which the nobles had been long unaccustomed, inspired reverence:

* Act 9. P. 1424. † Act 30. P. 1424.

James was a prince of great abilities, and conducted his operations with much prudence. He was in friendship with England; closely allied with the French king; he was adored by the people, who enjoyed unusual security and happiness under his administration; and all his acquisitions, however fatal to the body of the nobles, had been gained by attacks upon individuals; were obtained by decisions of law; and being founded on circumstances peculiar to the persons who suffered, might excite murmurs and apprehensions, but afforded no colourable pretext for a general rebellion. It was not so with the next attempt which the king made. Encouraged by the facility with which he had hitherto advanced, he ventured upon a measure that irritated the whole nobles, and which the event shews either to have been entered into with too much precipitancy, or to have been carried on with too much violence. The father of George Dunbar, earl of March, had taken arms against Robert III. the king's father, but that crime had been pardoned, and his lands restored by Robert, duke of Albany. James, on pretext that the regent had exceeded his power, and that it was not competent to any but the king himself to pardon treason, or to alienate lands annexed to the crown, obtained a sentence, declaring the pardon to be void, and depriving Dunbar of the earldom. Many of the nobles held lands by no other right than what they derived from grants of the two dukes of Albany. Such a decision, though they had reason to expect it in consequence of the statute which the king had obtained, occasioned a general alarm. Though Dunbar was, at present, the only sufferer, the precedent might be extended, and their titles to possessions, which they considered as the rewards of their valour, might be subjected to the review of courts of law, whose forms of proceeding, and jurisdiction were in a martial age little known, and extremely odious. Terror and discontent spread fast upon this discovery of the king's intentions; the common danger called on the whole order to unite, and to make one bold stand, before they were stripped

piecemeal, and reduced to a ſtate of poverty and inſignificance. The prevalence of theſe ſentiments among the nobles, encouraged a few deſperate men, the friends or followers of thoſe who had been the chief ſufferers under the king's adminiſtration, to form a conſpiracy againſt his life. The firſt certain intelligence of this was brought him while he lay in his camp before Roxburgh caſtle. He durſt not confide in nobles to whom he gave ſo many cauſes of diſguſt, but inſtantly diſmiſſed them and their vaſſals, and retiring to a monaſtery near Perth, was ſoon after murdered there in the moſt cruel manner. All our hiſtorians mention, with aſtoniſhment, this circumſtance of the king's diſbanding his army, at a time when it was ſo neceſſary for his preſervation. A king, ſay they, ſurrounded with his barons, is ſecure from ſecret treaſon, and may defy open rebellion. But thoſe very nobles were the perſons whom he chiefly dreaded; and it is evident, from this review of his adminiſtration, that he had greater reaſon to apprehend danger, than to expect defence from their hands. It was the misfortune of James, that his maxims and manners were too refined for the age in which he lived. Happy! had he reigned in a country more civilized; his love of peace, of juſtice, and of elegance, would have rendered his ſchemes ſucceſsful, and inſtead of his periſhing becauſe he had attempted too much, a grateful people would have applauded and ſeconded his efforts to reform and to improve them.

Crichton, the moſt able man of thoſe, who had the direction of affairs during the minority of James II. had been the miniſter of James I. and well acquainted with his reſolutions of humbling the nobles. He did not relinquiſh the deſign, and he endeavoured to inſpire his pupil with the ſame ſentiments. But what James had attempted to effect ſlowly, and by legal means, his ſon and Crichton purſued with the impetuoſity natural to Scotſmen, and with the fierceneſs peculiar to that age. William, the ſixth earl of Douglas, was the firſt victim to their barbarous policy. That young nobleman (as we have already obſerved) contemning the

authority of an infant prince, almoſt openly renounced his allegiance, and aſpired to independency. Crichton, too high-ſpirited to bear ſuch an inſult, but too weak to curb or to bring to juſtice ſo powerful an offender, decoyed him by many promiſes to an interview in the caſtle of Edinburgh, and, notwithſtanding theſe, murdered both him and his brother. Crichton, however, gained little by this act of treachery, which rendered him univerſally odious. William, the eight earl of Douglas, was no leſs powerful and no leſs formidable to the crown. By forming the league which we already mentioned with the earl of Crawford and other barons, he had united againſt his ſovereign almoſt one half of his kingdom. But his credulity led him into the ſame ſnare which had been fatal to the former earl. Relying on the king's promiſes, who had now attained to the years of manhood, and having obtained a ſafe conduct under the great ſeal, he ventured to meet him in Stirling caſtle. James urged him to abandon that dangerous confederacy into which he had entered; the earl obſtinately refuſed; "If you will not (ſaid the enraged monarch, drawing his dagger) this ſhall;" and ſtabbed him to the heart. An action ſo unworthy of a king, filled the nation with aſtoniſhment and with horror. The earl's vaſſals ran to arms with the utmoſt fury, and dragging the ſafe conduct, which the king had granted and violated, at a horſe's tail, they marched towards Stirling, burnt the town, and threatened to beſiege the caſtle. An accommodation enſued, on what terms is not known. But the king's jealouſy, and the earl's power and reſentment, prevented it from being of long continuance. Both took the field at the head of their armies, and met near Abercorn. That of the earl, compoſed chiefly of borderers, was far ſuperior to the king's both in number and in valour; and a ſingle battle muſt, in all probability, have decided whether the houſe of Stewart or of Douglas was henceforth to poſſeſs the throne of Scotland. But, while his troops impatiently expected the ſignal to engage, the earl ordered them to retire to their camp, and ſir James Hamil-

ton of Cadyow, the person in whom he placed the greatest confidence, convinced of his want of genius to improve an opportunity, or of his want of courage to seize a crown, deserted him that very night. This example was followed by many; and the earl, despised or forsaken by all, was soon driven out of the kingdom, and obliged to depend for his subsistence on the friendship of the king of England. The ruin of this great family, which had so long rivalled and overawed the crown, and the terror with which such an example of unsuccessful ambition filled the nobles, secured the king, for some time, from opposition; and the royal authority remained uncontrolled and almost absolute. James did not suffer this favourable interval to pass unimproved; he procured the consent of parliament to laws more advantageous to the prerogative, and more subversive of the privileges of the aristocracy, than were ever obtained by any former or subsequent monarch of Scotland.

By one of these, not only all the vast possessions of the earl of Douglas were annexed to the crown, but all prior and future alienations of crown lands were declared to be void, and the king was empowered to seize them at pleasure, without any process or form of law, and oblige the possessors to refund whatever they had received from them*. A dreadful instrument of oppression in the hands of a prince.

Another law prohibited the wardenship of the marches to be granted hereditarily; restrained, in several instances, the jurisdiction of that office; and extended the authority of the king's courts†.

By a third, it was ordained that no *regality*, or exclusive right of administering justice within a man's own lands, should be granted in time to come, without the consent of parliament‡, a condition which implied almost an express prohibition. Those nobles, who already possessed that great privilege, would naturally be solicitous to prevent it from becoming common, by be-

* Act 41. P. 1455. † Ibid. Act 42. ‡ Ibid. Act 43.

ing bestowed on many. Those who had not themselves attained it, would envy others the acquisition of such a flattering distinction; and both would concur in rejecting the claims of new pretenders.

By a fourth act, all new grants of hereditary offices were prohibited, and those obtained since the death of the last king were revoked‖.

Each of these statutes undermined some of the great pillars on which the power of the aristocracy rested. During the remainder of his reign, this prince pursued the plan which he had begun with the utmost vigour; and had not a sudden death, occasioned by the splinter of a cannon which burst near him at the siege of Roxburgh, prevented his progress; he wanted neither genius nor courage to perfect it: and Scotland might, in all probability, have been the first kingdom in Europe, which would have seen the subversion of the feudal system.

James III. discovered no less eagerness than his father or grandfather to humble the nobles; but far inferior to either of them in abilities and address, he adopted a plan extremely impolitic, and his reign was disastrous, as well as his end tragical. Under the feudal governments, the nobles were not only the king's ministers, and possessed of all the great offices of power or of trust, they were likewise his companions and favourites, and scarce any but them approached his person, or were entitled to his regard. But James, who both feared and hated his nobles, kept them at an unusual distance, and bestowed every mark of confidence and affection upon a few mean persons, of professions so dishonourable, as ought to have rendered them unworthy of his presence. Shut up with these in his castle of Stirling, he seldom appeared in public, and amused himself with architecture, music, and other arts, which were then little esteemed. The nobles beheld the power and favour of these minions with indignation. Even the sanguinary measures of his father provoked

‖ Act 44.

them less than his neglect. Individuals alone suffered by the former; by the latter, every man thought himself injured, because all were contemned. Their discontent was much heightened by the king's recalling all rights of crown lands, hereditary offices, regalities, and every other concession, which was detrimental to his prerogative, and which had been extorted during his minority. Combinations among themselves, secret intrigues with England, and all the usual preparatives for civil war were the effects of their resentment. Alexander duke of Albany, and John earl of Marr, the king's brothers, two young men of turbulent and ambitious spirits, and incensed against James, who treated them with the same coldness as he did the other nobles, entered deeply into all their cabals. The king detected their designs, before they were ripe for execution, and seizing his two brothers, committed the duke of Albany to Edinburgh castle. The earl of Marr, having remonstrated with too much boldness against the king's conduct, was murdered, if we may believe our historians, by his command. Albany, apprehensive of the same fate, made his escape out of the castle and fled into France. Concern for the king's honour, or indignation at his measures, were perhaps the motives, which first induced him to join the malcontents. But James's attachment to favourites rendering him every day more odious to the nobles, the prospect of the advantages which might be derived from their general disaffection, added to the resentment which he felt on account of his brother's death, and his own injuries, soon inspired Albany with more ambitious and criminal thoughts. He concluded a treaty with Edward IV. of England, in which he assumed the name of Alexander king of Scots, and in return for the assistance which was promised him towards dethroning his brother, he bound himself, so soon as he was put in possession of the kingdom, to swear fealty and to do homage to the English monarch, to renounce the ancient alliance with France, to contract a new one with England, and to surrender some of the strongest castles, and most valuable counties

in Scotland*. That aid, which the duke so basely purchased at the price of his own honour, and the independency of his country, was punctually granted him, and the duke of Gloucester, with a powerful army, conducted him towards Scotland. The danger of a foreign invasion obliged James to implore the assistance of those nobles, whom he had so long treated with contempt. Some of them were in close confederacy with the duke of Albany, and approved of all his pretensions. Others were impatient for any event, which would restore their order to its ancient pre-eminence. They took the field, however, at the head of a powerful army of their followers, but with a stronger disposition to redress their own grievances, than to annoy the enemy; and with a fixed resolution of punishing those minions, whose insolence they could no longer tolerate. This resolution they executed, in the camp near Lawder, with a military dispatch and rigour. Having previously concerted their plan, the earls of Angus, Huntly, Lennox, followed by almost the whole barons of chief note in the army, forcibly entered the apartment of their sovereign, seized all his favourites, except one Ramsay, whom they could not tear from the king, in whose arms he took shelter, and, without any form of trial, hanged them instantly over a bridge. Among the most remarkable of those who had engrossed the king's affection, were Cochran, a mason; Hommil, a taylor; Leonard, a smith; Rogers, a musician; and Torsifan, a fencing-master. So despicable a retinue discovers the capriciousness of James's character, and accounts for the indignation of the nobles, when they beheld the favour, due to them, bestowed on such unworthy objects.

James had no reason to confide in an army so little under his command, and dismissing it, shut himself up in the castle of Edinburgh. After various intrigues, Albany's lands and honours were at length restored to him, and he seemed even to have regained his brother's

* Abercr. Mart. Atch. v. ii. 443.

favour, by some important services. But their friendship was not of long duration. James, once more, abandoned himself to the guidance of favourites; and the fate of those, who suffered at Lawder, did not deter others from courting that dangerous pre-eminence. Albany, on pretext that an attempt had been made to take away his life by poison, fled from court, and retiring to his castle of Dunbar, drew thither a greater multitude of nobles than attended on the king himself. At the same time, he renewed his former confederacy with Edward; the earl of Angus openly negociated that infamous treaty; other barons were ready to concur with it; and if the sudden death of Edward had not prevented Albany's receiving any aid from England, the crown of Scotland would, probably, have been the reward of this unworthy combination with the enemies of his country. But, instead of any hopes of reigning in Scotland, he found, upon the death of Edward, that he could not reside there in safety, and flying first to England, and then to France, he seems, from that time, to have taken no part in the affairs of his native country. Emboldened by his retreat, the king and his ministers multiplied the insults which they offered to the nobles. A standing guard, a thing unknown under the feudal governments, and inconsistent with the familiarity and confidence with which monarchs then lived amidst their nobles, was raised for the king's defence, and the command of it given to Ramsay, lately created earl of Bothwell, the same person who so narrowly escaped when his companions were put to death at Lawder. And, as if this precaution had not been sufficient, a proclamation was issued, forbidding any person to appear in arms within the precincts of the court*; which, at the time when no man of rank left his own house without a numerous retinue of armed followers, was, in effect, debarring the nobles from all access to the king. James, at the same time, became fonder of retirement than ever; and, sunk in indolence or super-

* Ferrerius, 398.

ſtition, or attentive only to amuſements, devolved his whole authority upon his favourites. So many injuries provoked the moſt conſiderable nobles to take arms, and having perſuaded or obliged the duke of Rothſay, the king's eldeſt ſon, a youth of fifteen, to ſet himſelf at their head, they openly declared their intention of depriving James of a crown, of which he had diſcovered himſelf to be ſo unworthy. Rouſed by this danger, the king quitted his retirement, took the field, and encountered them near Bannockburn; but the valour of the borderers, of whom the army of the malcontents was chiefly compoſed, ſoon put his troops to flight, and he himſelf was ſlain in the purſuit. Suſpicion, indolence, immoderate attachment to favourites, and all the vices of a feeble mind, are viſible in his whole conduct; but the character of a cruel and unrelenting tyrant ſeems to be unjuſtly affixed to him by our hiſtorians. His neglect of the nobles irritated, but did not weaken them; and their diſcontent, the immoderate ambition of his two brothers, and their unnatural confederacies with England, were ſufficient to have diſturbed a more vigorous adminiſtration, and to have rendered unhappy a prince of ſuperior talents.

The indignation which many of the nobles expreſſed againſt the conduct of the conſpirators, together with the terror of the ſentence of excommunication which the pope pronounced againſt them, obliged them to uſe their victory with great moderation and humanity. And being conſcious how deteſtable the crime of imbruing their hands in the blood of their ſovereign appeared, they endeavoured to regain the good opinion of their countrymen, and to atone for their treatment of the father, by their loyalty and duty towards the ſon. They placed him inſtantly on the throne, and the whole kingdom ſoon united in acknowledging his authority.

James IV. was naturally generous and brave; he felt, in an high degree, all the paſſions which animate a young and noble mind. He loved magnificence, he delighted in war, and was eager to obtain fame. During

his reign, the ancient and hereditary enmity between the king and nobles seemed almost entirely to have ceased. He envied not their splendor, because it contributed to the ornament of his court; nor did he dread their power, which he considered as the security of his kingdom, not as an object of terror to himself. This confidence, on his part, met with the proper return of duty and affection on theirs; and, in his war with England, he experienced how much a king beloved by his nobles is able to perform. Though the ardour of his courage, and the spirit of chivalry, rather than the prospect of any national advantages, were the motives of that expedition; such was the zeal of his subjects for the king's glory, that he was followed by as gallant an army as ever any of his ancestors had led upon English ground. But though James himself formed no scheme dangerous or detrimental to the nobles, his reign was distinguished by an event, extremely fatal to them; and one accidental blow humbled them more than all the premeditated attacks of preceding kings. In the rash and unfortunate battle of Flowden, a brave nobility chose rather to die, than to desert their sovereign. Twelve earls, thirteen lords, five eldest sons of noblemen, and an incredible number of barons fell with the king*. The whole body of the nobles, long and sensibly, felt this disaster; and if a prince, of full age, had then ascended the throne, their consternation and feebleness would have afforded him advantages which no former monarch ever possessed.

But James V. who succeeded his father, was an infant of a year old; and though the office of regent was conferred on the duke of Albany, a man of genius and enterprise, a native of France, and accustomed to a government where the power of the king was already great; though he made many bold attempts to extend the royal authority; though he put to death lord Home, and banished the earl of Angus, the two noblemen of greatest influence in the kingdom, the arif-

* Aber. ii. 540.

tocracy lost no ground under his administration. A stranger to the manners, the laws, and the language of the people which he was called to rule, he acted, on some occasions, rather like a viceroy of the French king, than the governor of Scotland; but the nobles asserted their own privileges, and contended for the interest of their country, with a boldness, which convinced him of their independency, and of the impotence of his own authority. After several unsuccessful struggles, he voluntarily retired to France, and the king being then in his thirteenth year, the nobles agreed that he should assume the government, and that eight persons should be appointed to attend him by turns, and to advise and assist him in the administration of public affairs. The earl of Angus, who was one of that number, did not long remain satisfied with such divided power. He gained some of his colleagues, removed others, and intimidated the rest. When the term of his attendance expired, he still retained authority, to which all were obliged to submit, because none of them was in a condition to dispute it. The affection of the young king was the only thing wanting to fix and perpetuate his power. But an active and high-spirited prince submitted to the restraint, in which he was kept, with great impatience. It ill suited his years or disposition to be confined as a prisoner within his own palace; to be treated with no respect, and to be deprived of all power. He could not, on some occasions, conceal his indignation and resentment. Angus foresaw that he had much to dread from these, and as he could not gain the king's heart, he resolved to make sure of his person. James was continually surrounded by the earl's spies and confidents; many eyes watched all his motions, and observed every step he took. But the king's eagerness to obtain liberty, eluded all their vigilance. He escaped from Falkland, and fled to the castle of Stirling, the residence of the queen, his mother, and the only place of strength in the kingdom, which was not in the hands of the Douglasses. The nobles, of whom some were influenced by their hatred

to Angus, and others by their respect for the king, crowded to Stirling; and his court was soon filled with persons of the greatest distinction. The earl, though astonished at this unexpected revolution, resolved at first to make one bold push for recovering his authority, by marching to Stirling at the head of his followers; but he wanted either courage or strength to execute this resolution. In a parliament held soon after, he and his adherents were attainted, and after escaping from many dangers, and enduring much misery, he was at length obliged to fly into England for refuge.

James had now not only the name, but though extremely young, the full authority of a king, he was inferior to no prince of that age in gracefulness of person, or in vigour of mind. His understanding was good, and his heart warm; the former capable of great improvement, and the latter susceptible of the best impressions. But, according to the usual fate of princes who are called to the throne in their infancy, his education had been neglected. His private preceptors were more ready to flatter than to instruct him. It was the interest of those who governed the kingdom, to prevent him from knowing too much. And the earl of Angus, in order to divert him from business, gave him an early taste for such pleasures, as afterwards occupied and engrossed him more than became a king. Accordingly we discover in James all the features of a great but uncultivated spirit. On the one hand, violent passions, implacable resentment, an immoderate desire of power, and the utmost rage at disappointment. On the other, love to his people, zeal for the punishment of private oppressors, confidence in his favourites, and the most engaging openness and affability of behaviour.

What he himself had suffered from the exorbitant power of the nobles led him early to imitate his predecessors, in their attempts to humble them. The plan he formed for that purpose was more profound, more systematic, and pursued with greater constancy and steadiness, than that of any of his ancestors. And the

influence of the events in his reign upon those of the subsequent period, render it necessary to explain his conduct at greater length, and to enter into a more minute detail of his actions. He had penetration enough to discover those defects in the schemes adopted by former kings, which occasioned their miscarriage. The example of James I. had taught him, that wise laws operate slowly on a rude people, and the fierce spirit of the feudal nobles was not to be subdued by these alone. The effects of the violent measures of James II. convinced him, that the oppression of one great family is apt either to excite the suspicion and resentment of the other nobles, or to enrich with its spoils some new family, which would soon adopt the same sentiments, and become equally formidable to the crown. He saw, from the fatal end of James III. that neglect was still more intolerable to the nobles than oppression, and that the ministry of new men and favourites was both dishonourable, and dangerous to a prince. At the same time, he felt that the authority of the crown was not sufficient to counterbalance the power of the nobles, and that without some new accession of strength, he could expect no better success in the struggle than his ancestors. In this extremity, he applied himself to the clergy, hoping that they would both relish his plan, and concur, with all their influence, in enabling him to put it into execution. Under the feudal government, the church being esteemed a third estate, had its representatives in parliament; the number of these was considerable, and they possessed great influence in that assembly. The superstition of former kings, and the zeal of an ignorant age, had bestowed upon ecclesiastics, a great proportion of the national wealth, and the authority which they acquired by the reverence of the people, was superior even to that which they derived from their riches. This powerful body, however, depended entirely on the crown. The popes, notwithstanding their attention to extend their usurpations, had neglected Scotland as a distant and poor kingdom, and permitted its kings to exercise powers

which they disputed with more considerable princes. The Scottish monarchs had the sole right of nomination to vacant bishoprics and abbeys*; and James naturally concluded, that men who expected preferment from his favour, would be willing to merit it, by promoting his designs. Happily for him, the nobles had not yet recovered the blow given them at Flowden; and if we may judge, either from their conduct, or from the character given of them by sir Ralph Sadler, the English envoy in Scotland, they were men of little genius, of no experience in business, and incapable of acting either with unanimity, or with vigour. Many of the clergy, on the other hand, were distinguished by their great abilities, and no less by their ambition. Various causes of disgust had arisen between them and the nobles, who despised their character, and envied their power, or their wealth. By acting in concert with the king, they not only gratified him, but avenged themselves, and hoped to aggrandize their own order, by depressing those, who were their sole rivals. Secure of so powerful a concurrence, James ventured to proceed with greater boldness. In the first heat of resentment, he had driven the earl of Angus out of the kingdom; and sensible that a person, so far superior to the other nobles in abilities, might create many obstacles, which would retard, or render ineffectual all his schemes, he solemnly swore, that he would never permit him to return into Scotland; and, notwithstanding the repeated solicitations of the king of England, he adhered to his vow with unrelenting obstinacy. He then proceeded to repair the fortifications of Edinburgh, Stirling, and other castles, and to fill his magazines with arms and ammunition. Having taken these precautions by way of defence, he began to treat the nobles with the utmost coldness and reserve. Those offices, which they were apt, from long possession, to consider as appropriated to their order, were now bestowed on ecclesiastics, who alone possessed the king's ear, and together

* Epist. Reg. Scot. i. 197, &c. Act 125. P. 1540.

with a few gentlemen of inferior rank to whom he had communicated his ſchemes, were intruſted with the management of all public affairs. Theſe miniſters were choſen with judgment; and cardinal Beatoun, who ſoon became the moſt eminent among them, was a man of ſuperior genius. They ſerved the king with fidelity, they carried on his meaſures with vigour, with reputation, and with ſucceſs. James no longer concealed his contempt of the nobles, and ſuffered no opportunity of mortifying them to eſcape. Slight offences were aggravated into real crimes, and puniſhed with ſeverity. Every accuſation againſt perſons of rank was heard with pleaſure, every appearance of guilt was examined with rigour, and every trial proved fatal to the perſon accuſed: the baniſhing Hepburn, earl of Bothwell, for reaſons extremely frivolous, the beheading the maſter of Forbes without ſufficient evidence of his guilt, and the condemning lady Glamis, a ſiſter of the earl of Angus, to be burnt for the crime of witchcraft, of which even that credulous age believed her innocent, are monuments both of the king's hatred of the nobles, of the ſeverity of his government, and of the ſtretches he made towards abſolute power. By theſe acts of authority, he tried the ſpirit of the nobles, and how much they were willing to bear. Their patience increaſed his contempt for them, and added to the ardour and boldneſs with which he purſued his plan. The nobles obſerved the tendency of his ſchemes with concern, and with reſentment; but the king's ſagacity, and the vigilance of his miniſters, and the want of a proper leader, made it dangerous to concert any meaſures for their defence, and impoſſible to act with becoming vigour. James and his counſellors, by a falſe ſtep which they took, preſented to them, at length, an advantage which they did not fail to improve.

Motives, which are well known, had prompted Henry VIII. to diſclaim the pope's authority, and to ſeize the revenues of the regular clergy. His ſyſtem of reformation ſatisfied none of his ſubjects. Some were enraged becauſe he had proceeded ſo far, others mur-

mured because he proceeded no farther; and by his imperious temper, and alternate persecution of the zealots for popery, and the converts to the protestant opinions, he was equally formidable to both. Henry was afraid that this general dissatisfaction of his people might encourage his enemies on the continent to invade his kingdom. He knew that both the pope and emperor courted the friendship of the king of Scots, and endeavoured to engage him in an alliance against England. He resolved, therefore, to disappoint the effects of their negociations, by entering into a closer union with his nephew, and for that purpose sent ambassadors into Scotland to propose a personal interview with him at York. It was plainly James's interest to accept of this invitation; the assistance of so powerful an ally, the high honours which were promised him, and the liberal subsidies he might have obtained, would have added no little dignity to his domestic government, and must have greatly facilitated the execution of his favourite plan. On the other hand, a war with England, which he had reason to apprehend, if he rejected Henry's offers of friendship, was inconsistent with all his views. This would bring him to depend upon his nobles; an army could not be raised without their assistance: to call nobles incensed against their prince into the field, was to unite his enemies, to make them sensible of their own strength, and to afford them an opportunity of revenging their wrongs. James, who was not ignorant that all these consequences might follow a breach with England, listened at first to Henry's proposal, and consented to the interview at York. But the clergy dreaded an union, which must have been established on the ruins of the church. Henry had taken great pains to infuse into his nephew his own sentiments concerning religion, and had frequently solicited him by ambassadors, to renounce the usurped dominion of the pope, which was no less dishonourable to princes, than grievous to their subjects. The clergy had hitherto, with great address, diverted the king from regarding these solicitations. But, in an amica-

ble conference, Henry expected, and they feared that James would yield to his entreaties, or be convinced by his arguments. They knew that the revenues of the church were an alluring object to a prince who wanted money, and who loved it; that their pride and ambition raised the indignation of the nobles; that their indecent lives gave offence to the people; that the protestant opinions were spreading fast throughout the nation; and that an universal defection from the established church, would be the consequence of giving the smallest degree of encouragement to these principles. For these reasons, they employed all their credit with the king, and had recourse to every artifice and insinuation, in order to divert him from a journey, which must have been so fatal to their interest. They endeavoured to inspire him with fear, by magnifying the danger to which he would expose his person, by venturing so far into England, without any security but the word of a prince, who having violated every thing venerable and sacred in religion, was no longer to be trusted; and by way of compensation for the sums which he might have received from Henry, they offered an annual donative of fifty thousand crowns; they promised to contribute liberally towards carrying on a war with England, and flattered him with the prospect of immense riches, arising from the forfeiture of persons who were to be tried and condemned as heretics. Influenced by these considerations, James broke his agreement with Henry, who, in expectation of meeting him, had already come to York; and that haughty and impatient monarch, resented the affront, by declaring war against Scotland. His army was soon ready to invade the kingdom. James was obliged to have recourse to the nobles, for the defence of his dominions. At his command, they assembled their followers; but with the same dispositions which animated their ancestors in the reign of James III. and with a full resolution of imitating their example, by punishing those to whom they imputed the grievances, of which they had reason to complain; and if the king's ministers

had not been men of abilities, superior to those of James III. and of considerable interest even with their enemies, who could not agree among themselves what victims to sacrifice, the camp of Fala would have been as remarkable as that of Lawder, for the daring encroachments of the nobles on the prerogative of the prince. But though his ministers were saved by this accident, the nobles had soon another opportunity of discovering to the king their dissatisfaction with his government, and their contempt of his authority. Scarcity of provisions, and the rigour of the season having obliged the English army which had invaded Scotland to retire, James imagined that he could attack them, with great advantage, in their retreat; but the nobles, with an obstinacy and disdain, which greatly aggravated their disobedience, refused to advance a step beyond the limits of their own country. Provoked by this insult to himself, and suspicious of a new conspiracy against his ministers, the king instantly disbanded an army, which paid so little regard to his orders, and he returned abruptly into the heart of the kingdom.

An ambitious and high-spirited prince could not brook such a mortifying affront. His hopes of success had been rash, and his despair upon a disappointment was excessive. He felt himself engaged in an unnecessary war with England, which, instead of yielding him the laurels and triumphs that he expected, had begun with such circumstances, as encouraged the insolence of his subjects, and exposed him to the scorn of his enemies. He saw how vain and ineffectual all his projects to humble the nobles had been, and that, though in times of peace, a prince may endeavour to depress them, they will rise, during war, to their former importance and dignity. Impatience, resentment, indignation, filled his bosom by turns. The violence of these passions altered his temper, and, perhaps, impaired his reason. He became pensive, sullen, and retired. He seemed, through the day, to be swallowed up in profound meditation; and through the night, he was disturbed with those visionary terrors which make

impression upon a weak understanding only, or a disordered fancy. In order to revive the king's spirits, an inroad on the western borders was concerted by his ministers, who prevailed upon the barons in the neighbouring provinces to raise as many troops, as were thought necessary, and to enter the enemy's country. But nothing could remove the king's aversion for his nobility, or diminish his jealousy of their power. He would not even intrust them with the command of the forces which they had assembled: that was reserved for Oliver Sinclair his favourite, who no sooner appeared to take possession of the dignity conferred upon him, than rage and indignation occasioned an universal mutiny in the army. Five hundred English, who happened to be drawn up in sight, attacked the Scots in this disorder. Hatred to the king, and contempt of their general produced an effect, to which there is no parallel in history. They overcame the fear of death, and the love of liberty; and ten thousand men surrendered to a number so far inferior, without striking a single blow. No man was desirous of a victory, which would have been acceptable to the king and to his favourite; few endeavoured to save themselves by flight; the English had the choice of what prisoners they pleased to take; almost every person of distinction, who was engaged in the expedition, remained in their hands. This astonishing event was a new proof to the king of the general disaffection of the nobles, and a new discovery of his own weakness and want of authority. Incapable of bearing these repeated insults, and unable to revenge them, his spirit sunk altogether. The deepest melancholy and despair succeeded to the furious transports of rage and indignation, which the first account of the rout of his army occasioned. All the violent passions, which are the enemies of life, preyed upon his mind, and wasted and consumed a youthful and vigorous constitution. Some authors of that age impute his untimely death to poison; but the diseases of the mind, when they rise to an height, are often mortal; and the known effects of disappointment, rage, and in-

dignation upon a sanguine and impetuous temper, sufficiently account for his unhappy fate. "His death (says Drummond) proveth his mind to have been raised to an high strain, and above mediocrity; he could die, but could not digest a disaster." Had James survived this misfortune, one of two things must have happened: either the violence of his temper would have engaged him openly to attack the nobles, who would have found in Henry a willing and powerful protector, and have derived the same assistance from him, which the malcontents, in the succeeding reign, did from his daughter Elizabeth; in that case, a dangerous civil war would have been the certain consequence. Or, perhaps, necessity might have obliged him to accept of Henry's offers, and be reconciled to his nobles. In that event, the church would have fallen a sacrifice to their union, a reformation, upon Henry's plan, would have been established by law, a great part of the temporalities of the church would have been seized, and the friendship of the king and nobles cemented by dividing its spoils.

Such were the efforts of our kings, towards reducing the exorbitant power of the nobles. If they were not attended with success, we must not, for that reason, conclude that they were not conducted with prudence. Every circumstance seems to have combined against the crown. Accidental events concurred with political causes, in rendering the best concerted measures abortive. The assassination of one king, the sudden death of another, and the fatal despair of a third, contributed no less than its own natural strength, to preserve the aristocracy from ruin.

Amidst these struggles, the influence which our kings possessed in their parliament, is a circumstance seemingly inexplicable, and which merits particular attention. As these assemblies were composed chiefly of the nobles, they, we are apt to imagine, must have dictated all their decisions; but, instead of this, every king found them obsequious to his will, and obtained such laws as he esteemed necessary for extending his authori-

ty. All things were conducted there with dispatch and unanimity; and, in none of our historians, do we find an instance of any opposition formed against the court in parliament, or mention of any difficulty in carrying through the measures which were agreeable to the king. In order to account for this singular fact, it is necessary to inquire into the origin and constitution of parliament.

The genius of the feudal government, uniform in all its operations, produced the same effects in small, as in great societies; and the territory of a baron was, in miniature, the model of a kingdom. He possessed the right of jurisdiction, but those who depended on him, being free men, and not slaves, could be tried by their peers only; and, therefore, his vassals were bound to attend his courts, and to assist both in passing and executing his sentences. When assembled, on these occasions, they established, by mutual consent, such regulations, as tended to the welfare of their small society; and often granted, voluntarily, such supplies to their *superior*, as his necessities required. Change now a single name; in place of baron, substitute king, and we behold a parliament in its first rudiments, and observe the first exertions of those powers, which its members now possess as judges, as legislators, and as dispensers of the public revenues. Suitable to this idea are the appellations of the *King's Court**, and of the *King's Great Council*, by which parliaments were anciently distinguished; and suitable to this, likewise, were the constituent members of which it was composed. In all the feudal kingdoms, those who held the king *in chief* were bound, by the condition of their tenure, to attend and to assist in his courts. Nor was this esteemed a privilege, but a service. It was exacted likewise of bishops, abbots, and the greater ecclesiastics, who, holding vast possessions of the crown, were deemed subject to the same burden. Parliaments did not continue long in this state. Cities gradually acquired wealth, a

* Du Cange, voc. Curia.

confiderable fhare of the public taxes were levied on them, the inhabitants grew into eftimation, and being enfranchifed by the fovereign, a place in parliament was the confequence of their liberty, and of their importance. But as it would have been abfurd to confer fuch a privilege, or to impofe fuch a burden on a whole community, every borough was permitted to chufe one or two of its citizens to appear in the name of the corporation; and the idea of *reprefentation* was firft introduced in this manner. An innovation ftill more important naturally followed. The vaffals of the crown were originally few in number, and extremely powerful; but as it is impoffible to render property fixed and permanent, many of their poffeffions came, gradually, and by various methods of alienation, to be fplit and parcelled out into different hands. Hence arofe the diftinction between the *greater* and *leffer barons*. The former were thofe who retained their original fiefs undivided, the latter were the new and lefs potent vaffals of the crown. Both were bound, however, to perform all feudal fervices, and, of confequence, to give attendance in parliament. To the leffer barons, who formed no inconfiderable body, this was an intolerable grievance. Barons fometimes denied their tenure, boroughs renounced their right of electing, charters were obtained containing an exemption from attendance, and the anxiety, with which our anceftors endeavoured to get free from the obligation of fitting in parliament, is furpaffed by that only, with which their pofterity folicit to be admitted there. In order to accommodate both parties, and, at once, to fecure to the king a fufficient number of members in his great council, and to fave his vaffals from an unneceffary burden, an eafy expedient was found out. The obligation to perfonal attendance was continued upon the greater barons, from which the leffer barons were exempted, on condition of their electing, in each county, a certain number of *reprefentatives*, to appear in their name. Thus a parliament became complete in all its members, and was compofed of lords fpiritual and temporal, of knights of

the ſhires, and of burgeſſes. As many cauſes contributed to bring government earlier to perfection in England than in Scotland, as the rigour of the feudal inſtitutions abated ſooner; and its defects were ſupplied with greater facility in the one kingdom, than in the other: England led the way in all theſe changes; and burgeſſes and knights of the ſhire appeared in the parliaments of that nation, before they were heard of in ours. Burgeſſes were firſt admitted into the Scottiſh parliaments by Robert Bruce*, and in the preamble to the laws of Robert III. they are ranked among the conſtituent members of that aſſembly. The leſſer barons were indebted to James I. for a ſtatute exempting them from perſonal attendance, and permitting them to elect repreſentatives; the exemption was eagerly laid hold on, but the privilege was ſo little valued, that, except one or two inſtances, it lay neglected during one hundred and ſixty years, and James VI. firſt obliged them to ſend repreſentatives regularly to parliament†.

A Scottiſh parliament, then, conſiſted anciently of great barons, of eccleſiaſtics, and a few repreſentatives of boroughs. Nor were theſe divided, as in England, into two houſes, but compoſed one aſſembly, in which the lord chancellor preſided‡. And in rude ages, when

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* Abercromby, i. 635.

† Eſſays on Brit. Antiq. Eſſ. II. Dalrymp. Hiſt. of Feud. Prop. ch. 8.

‡ In England, the peers and commons ſeem early to have met in ſeparate houſes; and James I. who was fond of imitating the Engliſh in all their cuſtoms, had probably an intention of introducing ſome conſiderable diſtinction between the greater and leſſer barons in Scotland; at leaſt he determined that their conſultations ſhould not be carried on under the direction of the ſame preſident; for, by his law, A.D. 1427, it is provided, "that out of the commiſſioners of all the ſhires ſhall be choſen a wiſe and expert man, called the common ſpeaker of the parliament, who ſhall propoſe

the science of government was extremely imperfect, among a martial people, unacquainted with the arts of peace, strangers to the talents which make a figure in debate, and despising them, parliaments were not held in the same estimation as at present; nor did haughty barons love those courts in which they appeared with such evident marks of inferiority. Parliaments were often hastily assembled, and it was, probably, in the king's power, by the manner in which he issued his writs for that purpose, to exclude those who were averse from his measures. At a time when deeds of violence were common, and the restraints of law and decency were little regarded, no man could venture with safety to oppose the king in his own court. The great barons, or lords of parliament, were extremely few; even so late as the beginning of James VI's. reign*, they amounted only to fifty-three. The ecclesiastics equalled them in number, and being devoted implicitly to the crown, for reasons which have been already explained, rendered all hopes of victory in any struggle desperate. Nor were the nobles themselves so anxious as might be imagined, to prevent acts of parliament favourable to the royal prerogative; conscious of their own strength, and of the king's inability to carry these acts into execution without their concurrence, they trusted either to elude, or to contemn them; and the statute revoking the king's property, and annexing alienated jurisdictions to the crown, repeated in every reign, and violated and despised as often, is a standing proof of the impotence of laws, when opposed to power. So many concurring causes are sufficient, perhaps, to account for the ascendence which our kings acquired in parliament. But without hav-

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all and sundry needs and causes pertaining to the commons in the parliament or general council." No such speaker, it would seem, was ever chosen; and, by a subsequent law, the chancellor was declared perpetual president in parliament.

* And. Coll. vi. i. pref. 40.

ing recourse to any of these, a single circumstance, peculiar to the constitution of the Scottish parliament, the mentioning of which we have hitherto avoided, will abundantly explain this fact, seemingly so repugnant to all our reasonings concerning the weakness of the king, and the power of the nobles.

As far back as our records enables us to trace the constitution of our parliaments, we find a committee, distinguished by the name of *Lords of Articles.* It was their business to prepare and to digest all matters which were to be laid before the parliament; every motion for a new law was first made there, and approved or rejected by them at pleasure; what they approved, was formed into a bill, and presented to parliament; what they rejected, could not be introduced into the house. This committee owed the extraordinary powers vested in it, to the military genius of the ancient nobles; too impatient to submit to the drudgery of civil business, too impetuous to observe the forms, or to enter into the details necessary in conducting it, they were glad to lay that burden upon a small number, while they themselves had no other labour than simply to give or to refuse their sanction to the bills which were presented to them. The lords of articles, then, not only directed the whole proceedings of parliament, but possessed a negative before debate. That committee was chosen and constituted in such a manner, as put this valuable privilege entirely in the king's hands. It is extremely probable, that the king once had the sole right of nominating the lords of articles†. They came after-

† It appears, from authentic records, that a parliament was appointed to be held, March 12, 1566, and that the lords of articles were chosen, and met on the 7th, five days before the assembling of parliament. If they could be regularly elected so long before the meeting of parliament, it is natural to conclude, that the prince alone possessed the right of electing them. There are two different accounts of the manner of their election at that time, one by Mary herself, in a letter to

wards to be elected by the parliament, and consisted of an equal number out of each estate, and most commonly of eight temporal and eight spiritual lords, of eight representatives of boroughs, and of the eight great officers of the crown. Of this body, the eight ecclesiastics, together with the officers of the crown, were entirely at the king's devotion, and it was scarce possible that the choice could fall on such temporal lords and burgesses as would unite in opposition to his measures. Capable either of influencing their election, or gaining them when elected, the king commonly found the lords of articles no less obsequious to his will, than his own privy council, and by means of his authority with them, he could put a negative upon his parliament before debate, as well as after it; and what may seem altogether incredible, the most limited prince in Europe actually possessed, in one instance, a prerogative which the most absolute could never attain *.

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the archbishop of Glasgow, "We, accompanied with our nobility, for the time, past to the tolbuith of Edinburgh, for holding of our parliament on the 7th day of this instant, and elected the lords articulars." If we explain these words, according to strict grammar, we must conclude, that the Queen herself elected them. It is however, more probable, that Mary meant to say, that the nobles then present with her, viz. her privy counsellors, and others elected the lords of articles. Keith's Hist. of Scotland, p. 331. The other account is lord Ruthven's, who expresly affirms that the queen herself elected them. Keith's Append. 126. Whether we embrace the one or the other of these opinions, is of no consequence. If the privy counsellors and nobles attending the court had a right to elect the lords of articles, it was equally advantageous for the crown, as if the prince had had the sole nomination of them.

* Having deduced the history of the committee of lords of articles, as low as the subject of this preliminary book required, it may be agreeable, perhaps, to some readers, to know the subsequent variations in this singu-

To this account of the internal conftitution of Scotland, it will not be improper to add a view of the political ftate of Europe at that period, where the following hiftory commences. A thorough knowledge of that general fyftem, of which every kingdom in Europe

lar inftitution, and the political ufe which our kings made of thefe. When parliaments became more numerous, and more confiderable by the admiffion of the reprefentatives of the leffer barons, the preferving their influence over the lords of articles, likewife became an object of greater importance to our kings. James VI. on pretence, that the lords of articles could not find leifure to confider the great multitude of affairs laid before them, obtained an act, appointing four perfons to be named out of each ESTATE, who fhould meet twenty days before the commencement of parliament†, to receive all fupplications, &c. and rejecting what they thought frivolous, fhould engrofs in a book what they thought worthy the attention of the lords of articles. No provifion is made in the act for the choice of this felect body, and the king would, of courfe, have claimed that privilege. In 1633, when Charles I. was beginning to introduce thofe innovations which gave fo much offence to the nation, he dreaded the oppofition of his parliament, and in order to prevent that, an artifice was made ufe of to fecure the lords of articles for the crown. The temporal peers were appointed to chufe eight bifhops, and the bifhops eight peers; thefe fixteen met together, and elected eight knights of the fhire, and eight burgeffes, and to thefe the crown officers were added as ufual. If we can only fuppofe eight perfons of fo numerous a body, as the peers of Scotland were become by that time, attached to the court, thefe it is obvious, would be the men whom the bifhops would chufe, and of confequence, the whole lords of articles were the tools and creatures of the king. This practice, fo inconfiftent with liberty, was abolifhed during the civil war; and

† Act 222. P. 1594.

forms a part, is not less requisite towards understanding the history of a nation, than an acquaintance with its peculiar government and laws. The latter may enable us to comprehend domestic occurrences and revolutions, but without the former, foreign transactions must be altogether mysterious and unintelligible. By attending to this, many dark passages in our history may be placed in a clear light; and where the bulk of historians have seen only the effect, we may be able to discover the cause.

The subversion of the feudal government in France, and its declension in the neighbouring kingdoms, occasioned a remarkable alteration in the political state of Europe. Kingdoms, which were inconsiderable when broken, and parcelled out among nobles, acquired firmness and strength, by being united into a regular monarchy. Kings became conscious of their own power and importance. They meditated schemes of conquest, and engaged in wars at a distance. Numerous armies were raised, and great taxes imposed for their subsistence. Considerable bodies of infantry were kept in constant pay; that service grew to be honourable; and cavalry, in which the strength of European armies had hitherto consisted, though proper enough for the short and voluntary excursions of nobles who served at their own

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the statute of James VI. was repealed. After the Restoration, parliaments became more servile than ever. What was only a temporary device, in the reign of Charles I. was, then, converted into a standing law. "For my part," says the author from whom I have borrowed many of these particulars, "I should have "thought it less criminal in our Restoration parliament, "to have openly bestowed upon the king a negative be- "fore debate, than in such an underhand artificial man- "ner, to betray their constituents, and the nation." Essays on Brit. Antiq. 55. It is probable, however, from a letter of Randolph's to Cecil, 10th Aug. 1560, that this parliament had some appearance of an ancient precedent to justify their unworthy conduct.

expence, were found to be unfit either for making, or defending any important conquest.

It was in Italy, that the powerful monarchs of France and Spain and Germany first appeared to make a trial of their own strength. The division of that country into so many small states, the luxury of the people, and their effeminate aversion for war, invited their more martial neighbours to an easy prey. The Italians, who had been accustomed to mock battles only, and to decide their quarrels by innocent and bloodless victories, were astonished at the sight of real war; and as they could not resist the torrent, they suffered it to take its course, and to spend its rage. Intrigue and policy supplied the want of strength; and necessity and self-preservation taught that ingenious people the great secret of modern politics, and shewed them how to balance the power of one prince, by throwing that of another into the opposite scale. By this happy device, the liberty of Italy was long preserved. The scales were poised by very skilful hands; the smallest variations were attended to, and no prince was allowed to retain any superiority, that could be dangerous.

A system of conduct, pursued with so much success in Italy was not long confined to that country of political refinement. The maxim of preserving a balance of power is founded so much upon obvious reasoning, and the situation of Europe rendered it so necessary, that it soon became a matter of chief attention to all wise politicians. Every step any prince took was observed by all his neighbours. Ambassadors, a kind of honourable spies, authorised by the mutual jealousy of kings, resided almost constantly at every different court, and had it in charge to watch all its motions. Dangers were foreseen at a greater distance, and prevented with more ease. Confederacies were formed to humble any power which rose above its due proportion. Revenge or self-defence were no longer the only causes of hostility, it became common to take arms out of policy; and war, both in its commencement, and in its operations, was more an exercise of the judgment, than of the passions of men.

Almoſt every war in Europe became general, and the moſt inconſiderable ſtates acquired importance, becauſe they could add weight to either ſcale.

Francis I. who mounted the throne of France in the year 1515, and Charles V. who obtained the Imperial crown in the year 1519, divided between them the ſtrength and affections of all Europe. Their perpetual enmity was not owing either to perſonal jealouſy, or to the caprice of private paſſion, but was founded ſo much in nature and true policy, that it ſubſiſted between their poſterity for ſeveral ages; and, notwithſtanding their preſent accidental and unnatural union, muſt again revive. Charles ſucceeded to all the dominions of the houſe of Auſtria. No family had ever gained ſo much by wiſe and fortunate marriages. By acquiſitions of this kind the Auſtrian princes roſe, in a ſhort time, from obſcure Counts of Hapſbourg, to be archdukes of Auſtria, and kings of Bohemia, and were in poſſeſſion of the Imperial dignity by a ſort of hereditary right. Beſides theſe territories in Germany, Charles was heir to the crown of Spain, and to all the dominions which belonged to the houſe of Burgundy. The Burgundian provinces engroſſed, at that time, the riches and commerce of one half of Europe; and he drew from them, on many occaſions, thoſe immenſe ſums, which no people without trade and liberty are able to contribute. Spain furniſhed him a gallant and hardy infantry, to whoſe diſcipline he was indebted for all his conqueſts. And at the ſame time, by the diſcovery of the new world, a vein of wealth was opened to him, which all the extravagance of ambition could not exhauſt. Theſe advantages rendered Charles the firſt prince in Europe; but he wiſhed to be more, and openly aſpired to univerſal monarchy. His genius was of that kind which ripens ſlowly, and lies long concealed; but it grew up without obſervation, to an unexpected height and vigour. He poſſeſſed, in an eminent degree, the characteriſtic virtues of all the different races of princes to whom he was allied. In forming his ſchemes, he diſcovered all the ſubtilty and penetration of Ferdinand

his grand-father; he purfued them with that obftinate and inflexible perfeverance which has ever been peculiar to the Auftrian blood; and in executing them he could employ the magnanimity and boldnefs of his Burgundian anceftors. His abilities were equal to his power, and neither of them would have been inferior to his defigns, had not providence, in pity to mankind, and in order to preferve them from the worft of all evils, univerfal monarchy, raifed up Francis I. to defend the liberty of Europe. His dominions were lefs extenfive, but more united than the emperor's. His fubjects were numerous, active and warlike, lovers of glory, and lovers of their king. To Charles power was the only object of defire, and he purfued it with an unwearied and joylefs induftry. Francis could mingle pleafure and elegance with his ambition, and though he neglected fome advantages, which a more phlegmatic or more frugal prince would have improved, an active and intrepid courage fupplied all his defects, and checked or defeated many of the emperor's defigns.

The reft of Europe obferved all the motions of thefe mighty rivals, with a jealous attention. On the one fide, the Italians faw the danger which threatened Chriftendom, and in order to avert it had recourfe to the expedient, which they had often employed with fuccefs. They endeavoured to divide the power of the two contending monarchs into equal fcales, and by the union of feveral fmall ftates, to counterpoife him, whofe power became too great. But what they concerted with much wifdom, they were able to execute with little vigour; and intrigue and refinement were feeble fences againft the encroachments of military power.

On the other fide, Henry VIII. of England held the balance with lefs delicacy, but with a ftronger hand. He was the third prince of the age in dignity and in power; and the advantageous fituation of his dominions, his domeftic tranquillity, his immenfe wealth and abfolute authority rendered him the natural guardian of the liberty of Europe. Each of the rivals courted him with emulation; he knew it to be his intereft to keep

the balance even, and to reftrain both, by not joining entirely with either of them. But he was feldom able to reduce his ideas to practice; he was governed by caprice more than by principle; and the paffions of the man were an overmatch for the maxims of the king. Vanity and refentment were the great fprings of all his undertakings, and his neighbours early found the way, by touching thefe, to force him upon many rafh and inconfiftent enterprifes. His reign was a perpetual feries of blunders in politics, and while he efteemed himfelf the wifeft prince in Europe, he was a conftant dupe to thofe who found it neceffary, and could fubmit to flatter him.

In this fituation of Europe, Scotland, which had hitherto wafted her ftrength in the quarrels between France and England, emerged from her obfcurity, took her ftation in the fyftem, and began to have fome influence upon the fate of diftant nations. Her affiftance was frequently of confequence to the contending parties, and the balance was often fo nicely adjufted, that it was in her power to make it lean to either fide. The part affigned her was to divert Henry from carrying his arms into the continent. That prince, having routed the French at Guinegat, and invefted Terouenne, Francis attempted to divide his forces, by engaging James IV. in that unhappy expedition which ended with his life. For the fame reafon, Francis affifted and encouraged the duke of Albany to ruin the families of Angus and Home, which were in the intereft of England, and would willingly have perfuaded the Scots to revenge the death of their king, and to enter into a new war with that kingdom. Henry and Francis having united not long after againft the emperor, it was the intereft of both kings, that the Scots fhould continue inactive; and a long tranquillity was the effect of their union. Charles endeavoured to break this, and to embarrafs Henry by another inroad of the Scots. For this end, he made great advances to James V. flattering the vanity of the young monarch by electing him a knight of the golden fleece, and by offering him a match

in the Imperial family; and in return for theſe empty honours, he demanded of him to renounce his alliance with France, and to declare war againſt England. But James, who had much to loſe, and who could gain little by embracing the emperor's propoſals, rejected them with decency, and keeping firm to his ancient allies, left Henry at full liberty to act upon the continent with his whole ſtrength.

Henry himſelf began his reign, by imitating the example of his anceſtors with regard to Scotland. He held its power in ſuch extreme contempt, that he was at no pains to gain its friendſhip; but on the contrary, he irritated the whole nation, by reviving the antiquated pretenſions of the crown of England to the ſovereignty over Scotland. But his own experience, and the example of his enemies, gave him an higher idea of its importance. It was impoſſible to defend an open and extenſive frontier, againſt the incurſions of an active and martial people. During any war on the continent, this obliged him to divide the ſtrength of his kingdom. It was neceſſary to maintain a kind of army of obſervation in the north of England; and after all precautions, the Scottiſh borderers, who were ſuperior to all mankind in the practice of irregular war, often made ſucceſsful inroads, and ſpread terror and deſolation over many counties. He fell, at laſt, upon the true ſecret of policy, with reſpect to Scotland, which his predeceſſors had too little penetration to diſcover, or too much pride to employ. The ſituation of the country, and the bravery of the people made the conqueſt of Scotland impoſſible; but the national poverty, and the violence of faction rendered it an eaſy matter to divide and to govern it. He abandoned, therefore, the former deſign, and reſolved to employ the utmoſt addreſs in executing the latter. It had not yet become honourable for one prince to receive pay from another, under the more decent name of a ſubſidy. But, in all ages, the ſame arguments have been good in courts, and of weight with miniſters, factious leaders, and favourites. What were the arguments by which Henry brought over ſo many to his intereſt

affections; and the religious disputes, occasioned by the opinions of the reformers, growing every day more violent, added to the rage of those factions which are natural to a form of government nearly aristocratical.

The government of a queen was unknown in Scotland, and did not imprint much reverence in the minds of a martial people. The government of an infant queen was still more destitute of real authority; and the prospect of a long and feeble minority invited to faction, by the hope of impunity. James had not even provided the common remedy against the disorders of a minority, by committing to proper persons the care of his daughter's education, and the administration of affairs in her name. Though he saw the clouds gathering, and foretold that they would quickly burst into a storm, he was so little able to disperse them, or to defend his daughter and kingdom against these imminent calamities, that, in mere despair, he abandoned them both to the mercy of fortune, and left open to every pretender, the office of regent, which he could not fix to his own satisfaction.

Cardinal Beatoun, who had for many years been considered as prime minister, was the first who claimed that high dignity; and, in support of his pretensions, he produced a testament*, which he himself had forged in the name of the late king; and, without any other right, instantly assumed the title of regent. He hoped, by the assistance of the clergy, the countenance of France, the connivance of the queen dowager, and the support of the whole popish faction, to hold by force, what he had seized on by fraud. But Beatoun had enjoyed power too long to be a favourite of the nation. Those among the nobles who wished for a reformation in religion dreaded his severity, and others considered the elevation of a churchman to the highest office of the kingdom as a depression of themselves. At their instigation, James Hamilton, earl of Arran, and next heir to the queen, roused himself from his inac-

* Sadler's Lett. 161.

tivity, and was prevailed on to aſpire to that ſtation, to which proximity of blood, and the practice of the kingdom gave him an undoubted title. The nobles, who were aſſembled for that purpoſe, unanimouſly conferred on him the office of regent; and the public voice applauded their choice.

No two men differed more widely in diſpoſition and character, than the earl of Arran and cardinal Beatoun. The cardinal was by nature of immoderate ambition; by long experience he had acquired addreſs and refinement; and inſolence grew upon him by continual ſucceſs. His high ſtation in the church placed him in the way of great employments; his abilities were equal to the greateſt of theſe; nor did he reckon any of them to be above his merit. As his own eminence was founded upon the power of the church of Rome, he was a zealous defender of that ſuperſtition, and for the ſame reaſon an avowed enemy to the doctrine of the reformers. Political motives alone determined him to ſupport the one, or to oppoſe the other. His early application to public buſineſs kept him unacquainted with the learning and controverſies of the age; he gave judgment, however, upon all the points in diſpute, with a precipitancy, violence, and rigour, which cotemporary hiſtorians mention with indignation.

The character of the earl of Arran was, in almoſt every thing, the reverſe of the cardinal. He was neither infected with ambition, nor inclined to cruelty: the love of eaſe extinguiſhed the former, the gentleneſs of his temper preſerved him from the latter. Timidity and irreſolution were his predominant failings; the one occaſioned by his natural conſtitution, and the other ariſing from a conſciouſneſs that his abilities were not equal to his ſtation. With theſe diſpoſitions he might have enjoyed and adorned private life; but his public conduct was without courage, or dignity, or conſiſtence. The perpetual ſlave of his own fears, and, by conſequence, the perpetual tool of thoſe, who found their advantage in practiſing upon them. But as no other perſon could be ſet in oppoſition to the cardinal,

with any probability of fuccefs, the nation declared in his favour with fo general a confent, that the artifices of his rival could not withftand its united ftrength.

The earl of Arran had fcarce taken poffeffion of his new dignity, when a negociation was opened with England, which gave birth to events of the moft fatal confequence to himfelf and to the kingdom. After the death of James, Henry VIII. was no longer afraid of any interruption from Scotland to his defigns againft France; and immediately conceived hopes of rendering this fecurity perpetual, by the marriage of Edward, his only fon, with the young queen of Scots. He communicated his intention to the prifoners taken at Solway, and prevailed on them to favour it, by the promife of liberty, as the reward of their fuccefs. In the mean time, he permitted them to return into Scotland, that, by their prefence in the parliament which the regent had called, they might be the better able to perfuade their countrymen to fall in with his propofals. A caufe, intrufted to fuch able and zealous advocates, could not well mifs of coming to an happy iffue. All thofe who feared the cardinal, or who defired a change in religion, were fond of an alliance, which afforded protection to the doctrine which they had embraced, as well as to their own perfons, againft the rage of that powerful and haughty prelate.

But Henry's rough and impatient temper was incapable of improving this favourable conjuncture. Addrefs and delicacy in managing the fears, and follies, and interefts of men, were arts with which he was utterly unacquainted. The defigns he had formed upon Scotland were obvious from the marriage which he had propofed, and he had not dexterity enough to difguife, or to conceal them. Inftead of yielding to the fear or jealoufy of the Scots, what time and accidents would foon have enabled him to recover, he at once alarmed and irritated the whole nation, by demanding that the queen's perfon fhould be immediately committed to his cuftody, and that the government of the kingdom fhould be put into his hands during her minority.

Henry could not have prefcribed more ignominious conditions to a conquered people, and it is no wonder they were rejected with indignation, by men who fcorned to purchafe an alliance with England at the price of their own liberty. The parliament of Scotland, however, influenced by the nobles who returned from England, defirous of peace with that kingdom, and delivered, by the regent's confining the cardinal as a prifoner, from any oppofition to which he might have given rife, confented to a treaty of marriage and of union, but upon fomewhat of a more equal footing. And after fome dark and unfuccefsful intrigues, by which his ambaffador endeavoured to carry off the young queen and cardinal Beatoun into England, Henry was obliged to give up his own propofals, and to accept of theirs. On his fide, he confented that the queen fhould continue to refide in Scotland, and himfelf remain excluded from any fhare in the government of the kingdom. On the other hand, the Scots agreed to fend their fovereign into England fo foon as fhe attained the full age of ten years, and inftantly to deliver fix perfons, of the firft rank, to be kept as hoftages by Henry till the queen's arrival at his court.

The treaty was ftill fo manifeftly of advantage to England, that the regent loft much of the public confidence by confenting to it. The cardinal, who had now recovered liberty, watched for fuch an opportunity of regaining credit, and he did not fail to cultivate and improve this to the utmoft. He complained loudly, that the regent had betrayed the kingdom to its moft inveterate enemies, and facrificed its honour to his own ambition. He foretold the extinction of the true catholic religion, under the tyranny of an excommunicated heretic; but above all, he lamented to fee an ancient kingdom confenting to its own flavery, defcending into the ignominious ftation of a dependent province; and, in one hour, the weaknefs or treachery of a fingle man furrendering every thing, for which the Scottifh nation had ftruggled and fought during fo many ages. Thefe remonftrances of the cardinal were

not without effect. They were addressed to prejudices and passions which are deeply rooted in the human heart. The same hatred to the ancient enemies of their country, the same jealousy of national honour, and pride of independence, which, at the beginning of the present century, went near to prevent the Scots from consenting to an union with England, upon terms of great advantage, did, at that time, induce the whole nation to declare against the alliance which had been concluded. In the one period, an hundred and fifty years of peace between the two nations, the habit of being subjected to the same king, and governed by the same maxims, had considerably abated old animosities, and prepared both people for incorporating. In the other, injuries were still fresh, and the wounds on both sides open; and, in the warmth of resentment, it was natural to seek revenge, and to be averse from reconcilement. At the union, in 1707, the wisdom of parliament despised the groundless murmurs occasioned by antiquated prejudices; but in 1543 the complaints of the nation were better founded, and urged with a zeal and unanimity which it is neither just nor safe to disregard. The rage of the people rose to such a height, that the English ambassador could hardly be protected from their insults. The clergy contributed a great sum towards preserving the church from the dominion of a prince, whose system of reformation was so fatal to their power. The nobles, after having mortified the cardinal so lately, in such a cruel manner, were now ready to applaud and to second him, as the defender of the honour and liberty of his country.

Argyle, Huntly, Bothwell, and other powerful barons, openly declared against the alliance with England. By their assistance, the cardinal seized on the persons of the young queen and her mother, and added to his party the splendour and authority of the royal name*. He received, at the same time, a more real accession to

* Keith's Hist of Scot. 30.

his strength, by the arrival of Matthew Stewart, earl of Lennox, whose return from France he had earnestly solicited. This young nobleman was the hereditary enemy to the house of Hamilton. He had many claims upon the regent, and pretended a right to exclude him, not only from succeeding to the crown, but to deprive him of the possession of his private fortune. The cardinal flattered his vanity with the prospect of marrying the queen dowager, and affected to treat him with so much studied respect, that the regent became jealous of him as a rival in power.

This suspicion was artfully heightened by the abbot of Paisley, who returned into Scotland some time before the earl of Lennox, and acted in concert with the cardinal. He was a natural brother of the regent, with whom he had great credit; a warm partizan of France, and a zealous defender of the established religion. He took hold of the regent by the proper handle, and endeavoured to bring about a change in his sentiments by working upon his fears. The desertion of the nobility, the disaffection of the clergy, and the rage of the people, the resentment of France, the power of the cardinal, and the pretensions of Lennox, were all represented with aggravation, and with their most threatening aspect.

Meanwhile, the day appointed for the ratification of the treaty with England, and the delivery of the hostages, approached, and the regent was still undetermined in his own mind. He acted to the last with that irresolution and inconsistence which is peculiar to weak men when they are so unfortunate as to have the chief part in the conduct of difficult affairs. On the 25th of August he ratified the treaty with Henry†, and proclaimed the cardinal, who still continued to oppose it, an enemy to his country. On the 3d of September, he secretly withdrew from Edinburgh, met with the cardinal at Callendar, renounced the friendship of England, and declared for the interests of France*.

† Rymer, Fœd. xv. p. 4. * Sadler. 339, 356.

Henry, in order to gain the regent, had not ſpared the moſt magnificent promiſes. He had offered to give the princeſs Elizabeth in marriage to his eldeſt ſon, and to conſtitute him king of that part of Scotland, which lies beyond the river Forth. But upon finding his intereſt in the kingdom to be leſs conſiderable than he had imagined, the Engliſh monarch began to treat him with little reſpect. The young queen was now in the cuſtody of his enemies, who grew every day more numerous and more popular. They formed a ſeparate court at Stirling, and threatened to elect another regent. The French king was ready to afford them his protection, and the nation, out of hatred to the Engliſh, would have united in their defence. In this ſituation, the regent could not retain his authority, without a ſudden change of his meaſures; and though he endeavoured, by ratifying the treaty, to preſerve the appearances of good faith with England, he was obliged to throw himſelf into the arms of the party, which adhered to France.

Soon after this ſurpriſing revolution in his political principles, the regent changed his ſentiments concerning religion. The ſpirit of controverſy was then new and warm; books of that kind were eagerly read by men of every rank; the love of novelty, or the conviction of truth, had led the regent to expreſs great eſteem for the writings of the reformers; and having been powerfully ſupported by thoſe who had embraced their opinions, he, in order to gratify them, entertained in his own family, two of the moſt noted preachers of the proteſtant doctrine, and in his firſt parliament conſented to an act, by which the laity were permitted to read the ſcriptures in a language which they underſtood. Truth needed only a fair hearing to be an over match for error. Abſurdities, which had long impoſed on the ignorance and credulity of mankind, were detected, and expoſed to public ridicule; and under the countenance of the regent, the Reformation made great advances. The cardinal obſerved its progreſs with concern, and was at the utmoſt pains to obſtruct it. He repreſented to the regent his great imprudence in giving en-

couragement to opinions so favourable to Lennox's pretensions; that his own legitimacy depended upon the validity of a sentence of divorce founded on the pope's authority; and that by suffering it to be called in question, he weakened his own title to the succession, and furnished his rival with the only argument, by which it could be rendered doubtful *. These insinuations made a deep impression on the regent's timorous spirit, who, at the prospect of such imaginary dangers, was as much startled as the cardinal could have wished; and his zeal for the protestant religion was not long proof against his fear. He publicly abjured the doctrine of the reformers in the Franciscan church at Stirling, and declared not only for the political, but the religious opinions of his new confidents.

The protestant doctrine did not suffer much by his apostacy. It had already taken so deep root in the kingdom that no discouragement or severity could extirpate it. The regent indeed consented to every thing, that the zeal of the cardinal thought necessary for the preservation of the established religion. The reformers were persecuted with all the cruelty, which superstition inspires into a barbarous people. Many were condemned to that dreadful death, which the church has appointed for the punishment of its enemies; but they suffered with a spirit so nearly resembling the patience and for-

* The pretensions of the earl of Lennox to the succession were thus founded. Mary the daughter of James II. was married to James lord Hamilton. Elizabeth a daughter of that marriage, was the wife of Matthew earl of Lennox, and the present earl was her grandson. The regent was likewise the grandson of the princess Mary. But his father, being divorced from his second wife Elizabeth Home, married Janet Beatoun, the regent's mother. Lennox pretended that the sentence of divorce was unjust, and that the regent being born while Elizabeth Home was still alive, ought to be considered as illegitimate. Crawfurd's Peer. 192.

titude of the primitive martyrs, that more were converted, than terrified by these spectacles.

The cardinal, however, was now in possession of every thing his ambition could desire; and exercised all the authority of a regent without the envy of the name. He had nothing to fear from the earl of Arran, who having by his inconsistency forfeited the public esteem, was contemned by one half of the nation, and little trusted by the other. The pretensions of the earl of Lennox were the only thing which remained to embarrass him. He had made use of that nobleman very successfully to work upon the regent's jealousy and fear, but as he no longer stood in need of such an instrument, he was willing to be rid of him with decency. Lennox soon began to suspect his intention; promises, flattery, and respect were the only returns he had hitherto received for substantial services; but at last the cardinal's artifices could no longer be concealed, and Lennox, instead of attaining power and dignity himself, saw that he had been employed only to procure these for another. Resentment and disappointed ambition pushed him on to seek to be revenged on that cunning prelate, who, by sacrificing his interest, had so ungenerously purchased the earl of Arran's friendship. He withdrew, for that reason, from court, and declared for the party at enmity with the cardinal, which, with open arms, received a convert, who added so much lustre to their cause.

The two factions which divided the kingdom were still the same, without any alteration in their views or principles; but, by one of those strange revolutions, which were frequent in that age, they had, in the course of a few weeks, changed their leaders. The regent was at the head of the partizans of France and the defenders of popery, and Lennox in the same station with the advocates for the English alliance, and a reformation in religion. The one laboured to pull down his own work, which the other upheld with the same hand, that had hitherto endeavoured to destroy it.

Lennox's impatience for revenge got the start of the

cardinal's activity. He surprised both him and the regent by a sudden march to Edinburgh with a numerous army; and might easily have crushed them before they could prepare for their defence. But he was weak enough to listen to proposals for an accommodation; and the cardinal amused him so artfully, and spun out the treaty to such a length, that the greater part of the earl's troops, who served, as is usual wherever the feudal institutions prevail, at their own expence, deserted him; and in concluding a peace, instead of giving the law, he was obliged to receive it. A second attempt to retrieve his affairs ended yet more unfortunately. One body of his troops was cut in pieces, and the rest dispersed; and with the poor remains of a ruined party, he must either have submitted to the conqueror, or have fled out of the kingdom, if the approach of an English army had not brought him a short relief.

Henry was not of a temper to bear tamely the indignity with which he had been treated, both by the regent and parliament of Scotland, who at the time when they renounced their alliance with him, had entered into a new and stricter confederacy with France. The rigour of the season retarded for some time the execution of his vengeance. But in the spring a considerable body of infantry which was destined for France, received orders to sail for Scotland, and a proper number of cavalry was appointed to join it by land. The regent and cardinal little expected such a visit. They had trusted that the French war would find employment for all Henry's forces; and from an unaccountable security were wholly unprovided for the defence of the kingdom. The earl of Hartford, a name fatal to the Scots in that age, commanded this army, and landed it, without opposition, a few miles above Leith. He was quickly master of that place; and marching directly to Edinburgh, entered it with the same ease. After plundering the adjacent country, the richest and most open in Scotland, he set on fire both these towns; and upon the approach of some troops gathered together by the regent, put his booty on board the fleet, and with his land for-

ces retired safely to the English borders, delivering the kingdom, in a few days, from the terror of an invasion, concerted with little policy, carried on at great expence, and attended with no advantage. If Henry aimed at the conquest of Scotland, he gained nothing by this expedition; if the marriage he had proposed, was still in his view, he lost a great deal. Such a rough courtship, as the earl of Huntly humorously called it, disgusted the whole nation; their aversion for the match grew into abhorrence; and exasperated by so many indignities, the Scots were never, at any period, more attached to France, or more alienated from England.

The earl of Lennox alone, in spite to the regent and French king continued a correspondence with England, which ruined his own interest without promoting Henry's. Many of his own vassals preferring their duty to their country before their affection to him, refused to concur in any design to favour the public enemy. And after a few feeble and unsuccessful attempts to disturb the regent's administration, he was obliged to fly for safety to the court of England, where Henry rewarded services which he had the inclination, but not the power to perform, by giving him in marriage his niece the lady Margaret Douglas. This unhappy exile, however was destined to be the father of a race of kings. He saw his son lord Darnly mount the throne of Scotland, to the perpetual exclusion of that rival who now triumphed in his ruin. And from that time, his posterity have held the sceptre in two kingdoms, by one of which he was cast out as a criminal, and by the other received as a fugitive.

Meanwhile hostilities were continued by both nations, but with little vigour on either side. The historians of that age relate minutely the circumstances of several skirmishes and inroads, but they were without any considerable effect, and at this distance of time deserve no remembrance*. At last an end was put to this lan-

* Though this war was distinguished by no important or decisive action, it was, however, extremely ruin-

guiſhing and inactive war, by a peace, in which England, France, and Scotland were comprehended. Henry laboured to exclude the Scots from the benefit of this treaty, and to reſerve them for that vengeance which his attention to the affairs of the continent had hitherto delayed. But although a peace with England was of the laſt conſequence to Francis I. whom the emperor was preparing to attack with all his forces, he was too generous to abandon allies, who had ſerved him with fidelity, and choſe rather to purchaſe Henry's friendſhip with diſadvantage to himſelf, than to leave them expoſed to danger. By yielding ſome things to the intereſt, and more to the vanity of that haughty prince; by ſubmiſſion, flattery, and addreſs, he in the end, prevailed to have the Scots included in the peace agreed upon.

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ous to individuals. There ſtill remain two original papers, which give us ſome idea of the miſeries, to which the moſt fertile counties in the kingdom were expoſed, by the ſudden and deſtructive incurſions of the borderers. The firſt ſeems to be the report made to Henry by the Engliſh wardens of the marches, for the year 1544, and contains their exploits from the 2d of July, to the 17th of November. The account it gives of the different inroads or *forrays*, as they are called, is very minute; and in concluſion, the ſum total of miſchief they did is this computed:

Towns, towers, ſtedes, barnekyns, paryſhe-churches, baſtel-houſes caſt down, or burnt, - - - -	192
Scots ſlain, - - - - - - - - - - - - - -	403
Priſoners taken, - - - - - - - - - - - -	816
Nolt, i. e. black cattle, taken, - - - - - -	10,386
Sheep, - - - - - - - - - - - - - - -	12,492
Nags and geldings, - - - - - - - - - -	1,296
Goats, - - - - - - - - - - - - - - -	200
Bolls of corn, - - - - - - - - - - - -	850
Inſight-gear, i. e. houſhold furniture, not reckoned.	

Hayne's State Papers, 43.

The other contains an account of an inroad by the

The conſternation occaſioned by an event, which happened a ſhort time before the concluſion of this peace, rendered it more acceptable to the whole nation. Cardinal Beatoun had not uſed his power with moderation, equal to the prudence by which he attained it. Notwithſtanding his great abilities, he had too many of the paſſions and prejudices of an angry leader of a faction, to govern a divided people with temper. His reſentment againſt one party of the nobility, his inſolence towards the reſt, his ſeverity to the reformers, and, above all, the barbarous and illegal execution of the famous George Wiſhart, a man of honourable birth, and of primitive ſanctity, wore out the patience of a fierce age; and nothing but a bold hand was wanting to gratify the public wiſh by his deſtruction. Private revenge, inflamed and ſanctified by a falſe zeal for religion, quickly ſupplied this want. Norman Leſly, the eldeſt ſon of the earl of Rothes, had been treated by the cardinal with injuſtice and contempt. It was not the temper of the man, or the ſpirit of the times, quietly to digeſt an affront. And as the profeſſion of his adverſary ſcreened him from the effects of what is called an honourable reſentment, he reſolved to take that ſatisfaction, which he could not demand. This reſolution deſerves as much

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earl of Hartford, between the 8th and 23d of September, 1545; the narrative is more general, but it appears that he had burnt, razed, and deſtroyed in the counties of Berwick and Roxburgh only,

Monaſteries and friar-houſes,	7
Caſtles, towers, and piles,	16
Market towns,	5
Villages,	243
Milns,	13
Hoſpitals,	3

All theſe were caſt down or burnt. *Haynes*, 52. As the Scots were no leſs ſkilful in the practice of irregular war, we may conclude that the damage which they did in England was not inconſiderable; and that their *raids* were no leſs waſteful than the *forrays* of the Engliſh.

censure, as the singular courage and conduct with which he put it in execution excite wonder. The cardinal, at that time, resided in the castle of St. Andrews, which he had fortified at great expence, and in the opinion of the age had rendered impregnable. His retinue was numerous, the town at his devotion, and the neighbouring country full of his dependents. In this situation, sixteen persons undertook to surprise his castle, and to assassinate himself; and their success was equal to the boldness of the attempt. Early in the morning they seized on the gate of the castle, which was set open to the workmen who were employed in finishing the fortifications; and having placed sentries at the door of the cardinal's apartment, they awakened his numerous domestics one by one, and turning them out of the castle, they without noise, or tumult, or violence to any other person, delivered their country, though by a most unjustifiable action, from an ambitious man, whose pride was insupportable to the nobles, as his cruelty and cunning were the great checks to the Reformation.

His death was fatal to the catholic religion, and to the French interest in Scotland. The same zeal for both continued among a great party in the nation, but when deprived of the genius and authority of so skilful a leader, was of small consequence. Nothing can equal the consternation which a blow so unexpected occasioned among his adherents; while the regent secretly enjoyed an event, which rid him of a rival, who had not only eclipsed his greatness, but almost extinguished his power. Decency, however, the honour of the church, the importunity of the queen dowager, and her faction, his engagements with France, and above all these, the desire of recovering his eldest son, whom the cardinal had detained for some time at St. Andrews in pledge of his fidelity, and who, together with the castle, had fallen into the hands of the conspirators, induced him to take arms in order to revenge the death of a man he hated.

He threatened vengeance, but was unable to execute it. One part of military science, the art of attacking

fortified places, was then unknown in Scotland. The weapons, the discipline, and impetuosity of the Scots, rendered their armies as unfit for sieges, as they were active in the field. An hundred and fifty men, which was the greatest number the conspirators ever assembled, resisted all the efforts of the regent for five months*, in a place, which a single battalion, with a few battering cannon, would now reduce in as many days. This tedious siege was concluded by a truce. The regent undertook to procure for the conspirators an absolution from the pope, and a pardon in parliament; and upon obtaining these, they engaged to surrender the castle, and to set his son at liberty.

It is probable, that neither of them were sincere in this treaty. On both sides they sought only to amuse, and to gain time. The regent had applied to France for assistance, and expected soon to have the conspirators at mercy. On the other hand, if Lesly and his associates were not at first incited to murder the cardinal by Henry, they were, in the sequel, powerfully supported by him. Notwithstanding the silence of cotemporary historians, there are strong presumptions of the former; of the latter there is undoubted certainty†. During the siege, the conspirators had received from England supplies both of money and provisions; and as Henry was preparing to renew his propositions concerning the marriage and the union he had projected, and to second his negociations with a numerous army, they hoped, by concurring with him to be in a situation, in which they would no longer need a pardon, but might claim a reward.

The death of Henry blasted all these hopes. It happened in the beginning of next year, after a reign of greater splendour than true glory; bustling though not active; oppressive in domestic government, and in foreign politics wild and irregular. But the vices of this prince were more beneficial to mankind than the virtues of others. His rapaciousness, his profusion, and even

* Epist. Reg. Scot. 2. 379. † Keith, 60.

his tyranny, by depressing the ancient nobility, and by adding new property and power to the commons, laid the foundations of British liberty. His other passions contributed no less towards the downfal of popery, and the establishment of religious freedom in the nation. His resentment led him to abolish the power, and his covetousness to seize the wealth of the church; and by withdrawing these supports, made it easy, in the following reign, to overturn the whole fabric of superstition.

Francis I. did not long survive a prince, who had been alternately his rival and his friend; but his successor Henry II. was not neglectful of the French interest in Scotland. He sent a considerable body of men, under the command of Leon Strozzi, to the regent's assistance. By their long experience in the Italian and German wars, the French had become as dexterous in the conduct of sieges, as the Scots were ignorant; and as the boldness and despair of the conspirators could not defend them against their superior art, they surrendered to Strozzi, after a short resistance, who engaged, in the name of the king his master, for the security of their lives; and as his prisoners, transported them into France. The castle itself, the monument of Beatoun's power and vanity, was demolished, in obedience to the canon law, which, with admirable policy, denounces its anathemas even against the houses in which the sacred blood of a cardinal happens to be shed, and ordains them to be laid in ruins‡.

The archbishopric of St. Andrews was bestowed by the regent upon his natural brother, John Hamilton abbot of Paisley.

The delay of a few weeks would have saved the conspirators. Those ministers of Henry VIII. who had the chief direction of affairs during the minority of his son Edward VI. conducted themselves with regard to Scotland, by the maxims of their late master, and resolved to frighten the Scots into a treaty, which they had not abilities or address to bring about by any other method.

‡ Burn. Hist. Ref. 1. 338.

But before we proceed to relate the events which their invasion of Scotland occasioned, we shall stop to take notice of a circumstance unobserved by cotemporary historians, but extremely remarkable for the discovery it makes of the sentiments and spirit, which then prevailed among the Scots. The conspirators against cardinal Beatoun found the regent's eldest son in the castle of St. Andrews; and as they needed the protection of the English, it was to be feared that they might endeavour to purchase it, by delivering to them this important prize. The presumptive heir to the crown, in the hands of the avowed enemies of the kingdom, was a dreadful prospect. And, in order to avoid it, the parliament fell upon a very extraordinary expedient. By an act made on purpose, they excluded "the regent's "eldest son from all right of succession, public or private, so long as he should be detained prisoner, and "substituted in his place his other brothers, according "to their seniority, and in failure of them, those who "were next heirs to the regent†." Succession by hereditary right is an idea so obvious and so popular, that a nation seldom ventures to make a breach in it, but in cases of extreme necessity. Such a necessity did the parliament discover in the present situation. Hatred to England, founded on the memory of past hostilities, and heightened by the smart of recent injuries, was the national passion. This dictated that uncommon statute, by which the order of lineal succession was so remarkably broken. The modern theories, which represent this right as divine and unalienable, and that ought not to be violated upon any consideration whatsoever, seem to have been then altogether unknown.

In the beginning of September, the earl of Hartford, now duke of Somerset, and protector of England, entered Scotland at the head of eighteen thousand men; and, at the same time, a fleet of sixty ships appeared on the coast, to second his forces by land. The Scots had for some time observed this storm gathering, and were

† Epist. Reg. Scot. 2. 359.

prepared for it. Their army was almoſt double to that of the enemy, and poſted to the greateſt advantage on a riſing ground, above Muſſelburgh, not far from the river Eſke. Both theſe circumſtances alarmed the duke of Somerſet, who ſaw his danger, and would willingly have extricated himſelf out of it, by a new overture of peace, on conditions extremely reaſonable. But this moderation was imputed to fear, and his propoſals rejected with that ſcorn, which the confidence of ſucceſs inſpires. And had the conduct of the regent, who commanded the Scots army, been in any degree equal to his confidence, the deſtruction of the Engliſh muſt have been inevitable. They were in a ſituation preciſely ſimilar to that of their countrymen under Oliver Cromwell, in the following century. The Scots had choſen their ground ſo well, that it was impoſſible to force them to give battle; a few days had exhauſted the forage and proviſion of a narrow country; the fleet could only furniſh a ſcanty and precarious ſubſiſtence; a retreat therefore was neceſſary; but diſgrace, and perhaps ruin, were the conſequences of retreating.

On both theſe occaſions, the national heat and impetuoſity of the Scots ſaved the Engliſh, and precipitated their country into the utmoſt danger. The undiſciplined courage of the private men became impatient at the ſight of an enemy. The general was afraid of nothing, but the Engliſh would eſcape from him by flight; and leaving his advantageous ſituation, he attacked the duke of Somerſet near Pinkey, with no better ſucceſs than his raſhneſs deſerved. The protector had drawn up his troops on a gentle eminence, and had now the advantage of ground on his ſide. The Scottiſh army conſiſted almoſt entirely of infantry, whoſe chief weapon was a long ſpear, and for that reaſon their files were very deep, and their ranks cloſe. They advanced towards the enemy in three great bodies, and as they paſſed the river, were conſiderably expoſed to the fire of the Engliſh fleet, which lay in the bay of Muſſelburgh, and had drawn near the ſhore. The Engliſh cavalry, fluſhed with an advantage which they had gained in a

skirmish some days before, began the attack with more impetuosity than good conduct. A body so firm and compact as the Scots, easily resisted the impression of cavalry, broke them, and drove them off the field. The English infantry, however, advanced, and the Scots were at once exposed to a flight of arrows, to a fire in flank from four hundred foreign fusileers who served the enemy, and to their cannon which were planted behind the infantry, on the highest part of the eminence. The depth and closeness of their order made it impossible for the Scots to stand long in this situation. The earl of Angus, who commanded the vanguard, endeavoured to change his ground, and to retire towards the main body. But his friends unhappily mistook this motion for a flight, and fell into confusion. At that very instant, the broken cavalry having rallied, returned to the charge; the foot pursued the advantage they had gained; the prospect of victory redoubled the ardour of both; and in a moment, the rout of the Scottish army became universal, and irretrievable. The encounter in the field was not long or bloody; but, in the pursuit, the English discovered all the rage and fierceness, which national antipathy, kindled by long emulation, and inflamed by reciprocal injuries, is apt to inspire. The pursuit was continued for five hours, and to a great distance. All the three roads, by which the Scots fled, were strewed with spears and swords, and targets, and covered with the bodies of the slain. Above ten thousand men fell on this day, one of the most fatal Scotland had ever seen. A few were taken prisoners, and among these some persons of distinction. And the protector had it now in his power to become master of a kingdom, out of which, not many hours before, he was almost obliged to retire with infamy*.

* The following passage in a curious and rare journal of the protector's expedition into Scotland, written by W. Patten, who was joined in commission with Cecil, as judge marshal of the army, and printed in 1548, deserves our notice: as it gives a just idea of the military

But this victory, however great, was of no real utility, for want of skill or of leisure to improve it. Eve-

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discipline of the Scots at that time. "But what after I learned, specially touching their order, their armour, and their manner as well of going to offend, as of standing to defend, I have thought necessary here to utter. Hackbutters have they few or none, and appoint their fight most commonly always a foot. They come to the field well furnished all with jack and skull, dagger and buckler, and swords all broad and thin, of exceeding good temper, and universally so made to slice, that as I never saw none so good, so I think it hard to devise the better. Here to every man his pike, and a great kercher wrapped twice or thrice about his neck, not for cold, but for cutting. In their array towards joining with the enemy, they cling and thrust so near in the fore rank, shoulder and shoulder together with their pikes in both their hands straight afore them, and their followers in that order so hard at their backs, laying their pikes over their foregoers shoulders, that, if they do assail undiscovered, no force can well withstand them. Standing at defence they thrust shoulders likewise so nigh together, the fore ranks well nigh to kneeling, stoop low before, their fellows behind holding their pikes with both hands, and therewith in their left their bucklers, the one end of the pike against their right foot, and the other against the enemy breast-high; their followers crossing their pike points with them forward; and thus each with other so nigh as space and place will suffer, through the whole ward, so thick, that as easily shall a bare finger pierce through the skin of an angry hedge-hog, as any encounter the front of their pikes." Other curious particulars are found in this journal, from which Sir John Hayward has borrowed his account of this expedition.

Life of Edward VI. 279, &c.

The length of the Scots pike or spear was appointed by Act 44, P. 1471, to be six ells; i. e. eighteen feet six inches.

ry new injury rendered the Scots more averse from an union with England; and the protector neglected the only measure, which would have made it necessary for them to have given their consent to it. He amused himself in wasting the open country, and in taking or building petty castles; whereas, by fortifying a few places which were accessible by sea, he would have laid the kingdom open to the English, and, in a short time, the Scots must either have accepted of his terms, or have submitted to his power. By such an improvement of it, his victory at Dunbar gave Cromwell the command of Scotland. The battle of Pinkey had no other effect but to precipitate the Scots into new engagements with France. The situation of the English court may, indeed, be pleaded in excuse for the duke of Somerset's conduct. That cabal of his enemies, which occasioned his tragical end, was already formed; and while he triumphed in Scotland, they secretly undermined his power and credit at home. Self-preservation, therefore, obliged him to prefer his safety before his fame, and to return without reaping the fruits of his victory. At this time, however, the cloud blew over; the conspiracy by which he fell was not yet ripe for execution, and his presence suspended for some time its effect. The supreme power still remained in his hands, and he employed it to recover the opportunity which he had lost. A body of troops, by his command, seized and fortified Haddington, a place which, on account of its distance from the sea, and from any English garrison, could not be defended without great expence and danger.

Meanwhile, the French gained more by the defeat of their allies, than the English did by their victory. After the death of cardinal Beatoun, Mary of Guise, the queen dowager, took a considerable share in the direction of affairs. She was warmly attached by blood and by inclination to the French interest; and, in order to promote it, improved with great dexterity every event which occurred. The spirit and strength of the Scots were broken at Pinkey; and, in an assembly of

nobles, which met at Stirling to conſult upon the ſituation of the kingdom, all eyes were turned towards France, and no proſpect of ſafety appeared but in aſſiſtance from thence. But Henry II. being then at peace with England, the queen repreſented that they could not expect him to take part in their quarrel, but upon views of perſonal advantage; and that without extraordinary conceſſions in his favour, no aſſiſtance in proportion to their preſent exigencies could be obtained. The prejudices of the nation powerfully ſeconded theſe repreſentations of the queen. What often happens to individuals took place among the nobles in this convention; they were ſwayed entirely by their paſſions, and, in order to gratify them, they deſerted their former principles, and diſregarded their true intereſt. In the violence of reſentment they forgot that zeal for the independency of Scotland, which had prompted them to reject the propoſitions of Henry VIII. and by offering voluntarily their young queen in marriage to the dauphin, eldeſt ſon of Henry II. and, which was ſtill more, by propoſing to ſend her immediately into France, to be educated at his court, they granted, out of a thirſt of vengeance, what formerly they would not yield upon any conſideration of their own ſafety. To gain at once ſuch a kingdom as Scotland, was a matter of no ſmall conſequence to France. Henry, without heſitation, accepted the offers of the Scottiſh ambaſſadors, and prepared for the vigorous defence of his new acquiſition. Six thouſand veteran ſoldiers, under the command of Monſieur Deſſe, aſſiſted by ſome of the beſt officers who were formed in the long wars of Francis I. arrived at Leith. They ſerved two campaigns in Scotland, with a ſpirit equal to their former fame; but their exploits were not conſiderable. The Scots ſoon became jealous of their deſigns, and neglected to ſupport them with proper vigour; and the caution of the Engliſh, in acting wholly upon the defenſive, prevented them from attempting any enterpriſe of conſequence, and obliged them to exhauſt their ſtrength in tedious ſieges, undertaken under many diſadvan-

tages. Their efforts, however, were not without some benefit to the Scots, by compelling the English to evacuate Haddington, and to surrender several small forts which they possessed in different parts of the kingdom.

But the consequences of these operations of his troops were still of greater importance to the French king. The diversion which they occasioned enabled him to wrest Boulogne out of the hands of the English; and the influence of his army in Scotland obtained the concurrence of parliament with the overtures made to him, by the assembly of nobles at Stirling, concerning the queen's marriage with the dauphin, and her education at the court of France. In vain did a few patriots remonstrate against such extravagant concessions, by which Scotland was reduced to be a province of France; and Henry, from an ally, raised to be master of the kingdom; by which, the friendship of France became more fatal than the enmity of England; and every thing was fondly given up to the one, that had been bravely defended against the other. A point of so much consequence was hastily decided in a parliament assembled in a camp before Haddington; the intrigues of the queen dowager, the zeal of the clergy, and resentment against England, had prepared a great party in the nation for such a step; the French general and ambassador, by their liberality and promises, gained over many more. The regent himself was weak enough to stoop to the offer of a pension from France, together with the title of duke of Chatelherault in that kingdom. A considerable majority declared for the treaty, and the interest of a faction was preferred before the honour of the nation.

Having hurried the Scots into this rash and fatal resolution, the source of many calamities to themselves, and to their sovereign, the French allowed them no time for reflection or repentance. The fleet, which had brought over their forces, was still in Scotland, and, without delay, convoyed the queen into France. Mary was then six years old, and, by her education in that

court, the politest, but most corrupted in Europe, she acquired every accomplishment that could add to her charms as a woman, and contracted many of those prejudices, which occasioned her misfortunes as a queen.

From the time that Mary was put into their hands, it was the interest of the French to suffer the war in Scotland to languish. The recovering of the Boulonnois was the object Henry had most at heart; and a slight diversion in Britain was sufficient to divide the attention and strength of the English, whose domestic factions deprived both their arms and councils of their accustomed vigour. The government of England had undergone a great revolution. The duke of Somerset's power was acquired with too much violence, and exercised with too little moderation, to be of long continuance. Many good qualities, added to the great love of his country, could not atone for his ambition in usurping the whole direction of affairs. Almost the whole nobles combined against him; and the earl of Warwick, no less ambitious, but more artful, conducted his measures with so much dexterity, as to raise himself upon the ruins of his rival. Without the invidious name of protector, he succeeded to all the power and influence of which Somerset was deprived, and he quickly found peace to be necessary for the establishment of his new authority, and the execution of the vast designs he had conceived.

Henry was no stranger to Warwick's situation, and improved his knowledge of it, to good purpose, in conducting the negociations for a general peace. He prescribed what terms he pleased to the English minister, who scrupled at nothing, however advantageous to that monarch and his allies. England consented to restore Boulogne and its dependencies to France, and gave up all pretensions to a treaty of marriage with the queen of Scots, or to the conquest of her country. A few small forts, of which the English troops had hitherto kept possession, were razed; and peace between the two kingdoms was established on its ancient foundation.

Both the British nations lost power, as well as reputa-

tion, by this unhappy quarrel. It was on both ſides a war of emulation and reſentment, rather than of intereſt; and was carried on, under the influence of national animoſities, which were blind to all advantages. The French, who entered into it with greater coolneſs, conducted it with more ſkill; and by dexterouſly availing themſelves of every circumſtance which occurred, recovered poſſeſſion of an important territory which they had loſt, and added to their monarchy a new kingdom. The ambition of the Engliſh miniſter betrayed to them the former; the inconſiderate rage of the Scots againſt their ancient enemies beſtowed on them the latter; their own addreſs and good policy merited both.

Immediately after the concluſion of the peace, the French forces left Scotland, as much to their own ſatisfaction, as to that of the nation. The Scots ſoon found, that the calling to their aſſiſtance a people more powerful than themſelves was a dangerous expedient. They beheld, with the utmoſt impatience, thoſe who had come over to protect the kingdom, taking upon them to command in it; and on many occaſions they repented the raſh invitation they had given. The peculiar genius of the French nation heightened this diſguſt, and prepared the Scots to throw off the yoke, before they had well begun to feel it. The French were, in that age, what they are in the preſent, one of the moſt poliſhed nations in Europe. But it is to be obſerved, in all their expeditions into foreign countries, whether towards the ſouth or north, that their manners have been remarkably incompatible with the manners of every other people. Barbarians are tenacious of their own cuſtoms, becauſe they want knowledge and taſte to diſcover the reaſonableneſs and propriety of cuſtoms which differ from them. Nations, which hold the firſt rank in politeneſs, are frequently no leſs tenacious out of pride. The Greeks were ſo in the ancient world; and the French are the ſame in the modern. Full of themſelves, and accuſtomed, by the imitation of their neighbours, to conſider their own modes as the ſtandards of elegance, they ſcorn to diſguiſe, or to lay aſide the di-

ſtinguiſhing manners of their own nation, or to make any allowance for what may differ from them among others. For this reaſon, the behaviour of their armies has, on every occaſion, been inſupportable to ſtrangers, and has always expoſed them to hatred, and often to deſtruction. In that age, they over-ran Italy four ſeveral times, by their valour, and loſt it, as often, by their inſolence. The Scots, naturally an iraſcible and high-ſpirited people, and who, of all nations, can leaſt bear the moſt diſtant inſinuation of contempt, were not of a temper to admit all the pretenſions of ſuch amuſing gueſts. The ſymptoms of alienation were ſoon viſible; they ſeconded the French in their military operations with the utmoſt coldneſs, and this ſecret diſguſt grew inſenſibly to a degree of indignation that could hardly be reſtrained; and on occaſion of a very ſlight accident, broke out with fatal violence. A private French ſoldier had an idle quarrel with a citizen of Edinburgh: both nations took arms, and with equal rage, in defence of their countrymen. The provoſt of Edinburgh, his ſon, and ſeveral citizens of diſtinction were killed in the fray; and the French were obliged to avoid the fury of the inhabitants, by retiring out of the city. Notwithſtanding the ancient alliance of France and Scotland, and the long intercourſe of good offices between the two nations, an averſion to the French took its riſe, at this time, among the Scots; the effects whereof were deeply felt, and operated powerfully through the ſubſequent period.

From the death of cardinal Beatoun, nothing has been ſaid of the ſtate of religion. While the war with England continued, the clergy had no leiſure to moleſt the proteſtants; and they were not yet conſiderable enough to expect any thing more than connivance and impunity. The new doctrines were ſtill in their infancy; but during this ſhort interval of tranquillity, they acquired ſtrength, and advanced, by large and firm ſteps, towards a full eſtabliſhment in the kingdom. The firſt preachers againſt popery in Scotland, of whom ſeveral had appeared during the reign of James V. were more

eminent for zeal and piety, than for learning. Their acquaintance with the principles of the Reformation was partial, and at second hand; some of them had been educated in England; all of them had borrowed their notions from the books published there; and, in the first dawn of the new light, they did not venture many steps before their leaders. But in a short time, the doctrines and writings of the foreign reformers became generally known; the inquisitive genius of the age pressed forward in quest of truth; the discovery of one error opened the way to others; the downfal of one impostor drew many after it; the whole fabric, which ignorance and superstition had erected in times of darkness, began to totter; and nothing was wanting to complete its ruin, but a daring and active leader to direct the attack. Such was the famous John Knox, who, with better qualifications of learning, and more extensive views than any of his predecessors in Scotland, possessed a natural intrepidity of mind, which set him above fear. He began his public ministry at St. Andrews in the year 1547, with that success, which always accompanies a bold and popular eloquence. Instead of amusing himself with lopping the branches, he struck directly at the root of popery, and attacked both the doctrine and discipline of the established church, with a vehemence peculiar to himself, but admirably suited to the temper and wishes of the age.

An adversary so formidable as Knox, would not have easily escaped the rage of the clergy, who observed the tendency and progress of his opinions, with the utmost concern. But, at first, he retired for safety into the castle of St. Andrews, and while the conspirators kept possession of it, preached publicly under their protection. The great revolution in England, which followed upon the death of Henry VIII. contributed no less than the zeal of Knox, towards demolishing the popish church in Scotland. Henry had loosened the chains, and lightened the yoke of popery. The ministers of his son Edward VI. cast them off altogether, and established the protestant religion upon almost the same footing,

whereon it now ſtands in that kingdom. The influence of this example reached Scotland, and the happy effects of eccleſiaſtical liberty, in the one nation, inſpired the other with an equal deſire of recovering it. The reformers had, hitherto, been obliged to conduct themſelves with the utmoſt caution, and ſeldom ventured to preach, but in private houſes, and at a diſtance from court; they gained credit, as happens on the firſt publication of every new religion, chiefly among perſons in the lower and middle rank of life. But ſeveral noblemen of the greateſt diſtinction, having, about this time, openly eſpouſed their principles, they were no longer under the neceſſity of acting with the ſame reſerve; and with more ſecurity and encouragement, they had likewiſe greater ſucceſs. The means of acquiring and ſpreading knowledge became more common, and the ſpirit of innovation, peculiar to that period, grew every day bolder and more univerſal.

Happily for the Reformation, this ſpirit was ſtill under ſome reſtraint. It had not yet attained firmneſs and vigour, ſufficient to overturn a ſyſtem, founded on the deepeſt policy, and ſupported by the moſt formidable power. Under the preſent circumſtances, any attempt towards action muſt have been fatal to the proteſtant doctrines; and it is no ſmall proof of the authority, as well as penetration of the heads of the party, that they were able to reſtrain the zeal of a fiery and impetuous people, till that critical and mature juncture, when every ſtep they took was deciſive and ſucceſsful.

Meanwhile, their cauſe received reinforcement from two different quarters, whence they never could have expected it. The ambition of the houſe of Guiſe, and the bigotry of Mary of England haſtened the ſubverſion of the papal throne in Scotland; and by a ſingular diſpoſition of providence, the perſons who oppoſed the Reformation in every other part of Europe with the fierceſt zeal, were made inſtruments for advancing it in that kingdom.

Mary of Guiſe poſſeſſed the ſame bold and aſpiring

ſpirit, which diſtinguiſhed her family. But in her, it was ſoftened by the female character, and accompanied with great temper and addreſs. Her brothers, in order to attain the high objects at which they aimed, ventured upon ſuch daring meaſures, as ſuited their great courage. Her deſigns upon the ſupreme power were concealed with the utmoſt care, and advanced by addreſs and refinements more natural to her ſex. By a dexterous application of thoſe talents, ſhe had acquired a conſiderable influence on the councils of a nation, hitherto unacquainted with the government of women; and without the ſmalleſt right to any ſhare in the adminiſtration of affairs, had engroſſed the chief direction of them into her own hands. But ſhe did not long reſt ſatisfied with the enjoyment of this precarious power, which the fickleneſs of the regent, or the ambition of thoſe who governed him, might ſo eaſily diſturb; and began to ſet on foot new intrigues, with a deſign of undermining him, and of opening to herſelf a way to ſucceed him in that high dignity. Her brothers entered warmly into this ſcheme, and ſupported it with all their credit at the court of France. The French king willingly concurred in a meaſure, by which he hoped to bring Scotland entirely under management, and, in any future broil with England, to turn its whole force upon that kingdom.

In order to arrive at the deſired elevation, the queen dowager had only one of two ways to chooſe, either violently to wreſt the power out of the hands of the regent, or to obtain it by his conſent. Under a minority, and among a warlike and factious people, the former was an uncertain and dangerous experiment. The latter appeared to be no leſs impracticable. To perſuade a man voluntarily to abdicate the ſupreme power; to deſcend to a level with thoſe above whom he was raiſed; and to be content with the ſecond place where he had held the firſt, may well paſs for a wild and chimerical project. This, however, the queen attempted; and the prudence of the attempt was ſufficiently juſtified by its ſucceſs.

The regent's inconſtancy and irreſolution together, with the calamities which had befallen the kingdom under his adminiſtration, raiſed the prejudices both of the nobles and of the people againſt him to a great height; and the queen ſecretly fomented theſe with much induſtry. All who wiſhed for a change met with a gracious reception in her court; and their ſpirit of diſaffection was nouriſhed by ſuch hopes and promiſes as in every age impoſe on the credulity of the factious. The favourers of the Reformation being the moſt numerous and ſpreading body of the regent's enemies, ſhe applied to them with a particular attention; and the gentleneſs of her diſpoſition, and ſeeming indifference to the religious points in diſpute, made all her promiſes of protection and indulgence paſs upon them for ſincere. Finding ſo great a part of the nation willing to fall in with her meaſures, the queen ſet out for France, under pretence of viſiting her daughter, and took along with her thoſe noblemen who poſſeſſed the greateſt power and credit among their countrymen. Softened by the pleaſures of an elegant court, flattered by the civilities of the French king, and the careſſes of the houſe of Guiſe, and influenced by the ſeaſonable diſtribution of a few favours, and the liberal promiſe of many more, they were brought to approve of all the queen's pretenſions.

While ſhe advanced by theſe ſlow but ſure ſteps, the regent either did not foreſee the danger which threatened him, or neglected to provide againſt it. The firſt diſcovery of the train which was laid, came from two of his own confidents, Panter, biſhop of Roſs, and Carnegie, of Kinnaird, whom the queen had gained over to her intereſt, and then employed as the moſt proper inſtruments for obtaining his conſent. The overture was made to him in the name of the French king, enforced by proper threatenings, in order to work upon his natural timidity, and ſweetened by every promiſe that could reconcile him to a propoſal ſo diſagreeable. On the one hand, the confirmation of his French title, together with a conſiderable penſion, the parliamentary acknowledgment of his right of ſucceſ-

sion to the crown, and a public ratification of his conduct during his regency, were offered him. On the other hand, the displeasure of the French king, the power and popularity of the queen dowager, the disaffection of the nobles, with the danger of an after-reckoning, were represented in the strongest colours.

It was not possible to agree to a proposal so extraordinary and unexpected, without some previous struggle; and had the archbishop of St. Andrews been present to fortify the irresolute and passive spirit of the regent, he, in all probability, would have rejected it with disdain. Happily for the queen, the sagacity and ambition of that prelate could, at this time, be no obstruction to her views. He was lying at the point of death, and in his absence, the influence of the queen's agents on a flexible temper counterbalanced several of the strongest passions in the human mind, and obtained his consent to a voluntary surrender of the supreme power.

After gaining a point of such difficulty, with so much ease, the queen returned into Scotland, in full expectation of taking immediate possession of her new dignity. But by this time the archbishop of St. Andrews had recovered of that distemper, which the ignorance of the Scottish physicians had pronounced to be incurable. This he owed to the assistance of the famous Cardan, one of those irregular adventurers in philosophy, of whom Italy produced so many about this period. A bold genius led him to some useful discoveries, which merit the esteem of a more discerning age; a wild imagination engaged him in those chimerical sciences, which drew the admiration of his contemporaries. As a pretender to astrology and magic, he was revered and consulted by all Europe; as a proficient in natural philosophy, he was but little known. The archbishop, it is probable, considered him as a powerful magician, when he applied to him for relief; but it was his knowledge as a philosopher which enabled him to cure his disease*.

* Cardan himself was more desirous of being con-

Together with his health, the archbishop recovered the entire government of the regent, and quickly determined him to recal that dishonourable promise, which he had been seduced by the artifices of the queen to grant. However great her surprise and indignation were, at this fresh instance of his inconstancy, she was obliged to dissemble, that she might have leisure to renew her intrigues with all parties; with the protestants, whom she favoured and courted more than ever; with the nobles, to whom she rendered herself agreeable by various arts; and with the regent himself, in order to gain whom, she employed every argument. But whatever impressions her emissaries might have made on the regent, it was no easy matter to overreach or to intimidate the archbishop. Under his management, the negotiations were spun out to a great length; and his brother maintained his station with that address and firmness which its importance so well merited. The universal defection of the nobles, the growing power of the protestants, who all adhered to the queen dowager, the reiterated solicitations of the French king, and, above all, the interposition of the young queen, who was now entering the twelfth year of her age, and claimed a right of nominating whom she pleased to be regent, obliged him at last to resign that high office, which he had held many years. He obtained, however, the same advantageous terms for himself which had been formerly stipulated.

It was in the parliament which met on the 10th of April, 1554, that the earl of Arran executed this extraordinary resignation; and at the same time, Mary of Guise was raised to that dignity, which had been so long the object of her wishes. Thus, with their own

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sidered as an astrologer than a philosopher; in his book *De Genituris*, we find a calculation of the archbishop's nativity, from which he pretends both to have predicted his disease, and to have effected his cure. He received from the archbishop a reward of 1800 crowns; a great sum in that age. *De vita sua*, p. 32.

approbation, a woman and a ſtranger was advanced to the ſupreme authority, over a fierce and turbulent people, who ſeldom ſubmitted, without reluctance, to the legal and ancient government of their native monarchs.

While the queen dowager of Scotland contributed ſo much towards the progreſs of the Reformation, by the protection which ſhe afforded it, from motives of ambition; the Engliſh queen, by her indiſcreet zeal, filled the kingdom with perſons active in promoting that cauſe. Mary aſcended the throne of England on the death of her brother Edward, and ſoon after married Philip II. of Spain. To the perſecuting ſpirit of the Romiſh ſuperſtition, and the fierceneſs of that age, ſhe added the private reſentment of her own and of her mother's ſufferings, with which ſhe loaded the reformed religion; and the peeviſhneſs and ſeverity of her natural temper carried the acrimony of all theſe paſſions to the utmoſt extreme. The cruelty of her perſecution equalled the deeds of thoſe tyrants who have been the greateſt reproach to human nature. The bigotry of her clergy could ſcarce keep pace with the impetuoſity of her zeal. Even the unrelenting Philip was obliged, on ſome occaſions, to mitigate the rigour of her proceedings. Many among the moſt eminent of the reformers ſuffered for the doctrines which they had taught; others fled from the ſtorm. To the greater part of theſe, Switzerland and Germany opened a ſecure aſylum; and not a few, out of choice or neceſſity, fled into Scotland. What they had ſeen and felt in England did not abate the warmth and zeal of their indignation againſt popery. Their attacks were bolder and more ſucceſsful than ever; and their doctrines made a rapid progreſs among all ranks of men.

Theſe doctrines, calculated to rectify the opinions, and to reform the manners of mankind, had hitherto produced no other effects; but they ſoon began to operate with greater violence, and proved the occaſion, not only of ſubverting the eſtabliſhed religion, but of

ſhaking the throne, and endangering the kingdom. The cauſes which facilitated the introduction of theſe new opinions into Scotland, and which diſſeminated them ſo faſt through the nation, merit, on that account, a particular and careful enquiry. The Reformation is one of the greateſt events in the hiſtory of mankind, and, in whatever point of light we view it, is inſtructive and intereſting.

The revival of learning in the fifteenth and ſixteenth centuries rouſed the world from that lethargy in which it had been ſunk for many ages. The human mind felt its own ſtrength, broke the fetters of authority by which it had been ſo long reſtrained, and venturing to move in a larger ſphere, puſhed its enquiries into every ſubject with great boldneſs and ſurpriſing ſucceſs.

No ſooner did mankind recover the capacity of exerciſing their reaſon, than religion was one of the firſt objects which drew their attention. Long before Luther publiſhed his famous theſes which ſhook the papal throne, ſcience and philoſophy had laid open, to many of the Italians, the impoſture and abſurdity of the eſtabliſhed ſuperſtition. That ſubtle and refined people, ſatisfied with enjoying thoſe diſcoveries in ſecret, were little diſpoſed to aſſume the dangerous character of reformers, and concluded the knowledge of truth to be the prerogative of the wiſe, while vulgar minds muſt be overawed and governed by popular errors. But, animated with a more noble and diſintereſted zeal, the German theologian boldly erected the ſtandard of truth, and upheld it with an unconquerable intrepidity, which merits the admiration and gratitude of all ſucceeding ages.

The occaſion of Luther's being firſt diſguſted with the tenets of the Romiſh church, and how, from a ſmall rupture, the quarrel widened into an irreparable breach, is known to every one who has been the leaſt converſant in hiſtory. From the heart of Germany his opinions ſpread, with aſtoniſhing rapidity, all over Europe; and, wherever they came, endangered or overturned the ancient, but ill-founded ſyſtem. The vigi-

lance and addreſs of the court of Rome, and the power and bigotry of the Auſtrian family, ſuppreſſed theſe notions on their firſt appearance in the ſouthern kingdoms of Europe. But the fierce ſpirit of the north, irritated by multiplied impoſitions, could neither be mollified by the ſame arts, nor ſubdued by the ſame force; and encouraged by ſome princes from piety, and by others out of avarice, it eaſily bore down the feeble oppoſition of an illiterate and immoral clergy.

The ſuperſtition of popery ſeems to have grown to the moſt extravagant height in thoſe countries which are ſituated towards the different extremities of Europe. The vigour of imagination, and ſenſibility of frame, peculiar to the inhabitants of ſouthern climates, rendered them ſuſceptible of the deepeſt impreſſions of ſuperſtitious terror and credulity. Ignorance and barbarity were no leſs favourable to the progreſs of the ſame ſpirit among the northern nations. They knew little, and were diſpoſed to believe every thing. The moſt glaring abſurdities did not ſhock their groſs underſtandings, and the moſt improbable fictions were received with implicit aſſent and admiration.

Accordingly, that form of popery which prevailed in Scotland was of the moſt bigotted and illiberal kind. Thoſe doctrines which are moſt apt to ſhock the human underſtanding, and thoſe legends which fartheſt exceed belief, were propoſed to the people without any attempt to palliate or diſguiſe them; nor did they ever call in queſtion the reaſonableneſs of the one, or the truth of the other.

The power and wealth of the church kept pace with the progreſs of ſuperſtition; for it is the nature of that ſpirit to obſerve no bounds in its reſpect and liberality towards thoſe whoſe character it eſteems ſacred. The Scottiſh kings early demonſtrated how much they were under its influence, by their vaſt additions to the immunities and riches of the clergy. The profuſe piety of David I. who acquired on that account the name of ſaint, transferred almoſt the whole crown lands, which were at that time of great extent, into the hands

of ecclesiastics. The example of that virtuous prince was imitated by his successors. The spirit spread among all orders of men, who daily loaded the priesthood with new possessions. The riches of the church all over Europe were exorbitant; but Scotland was one of those countries wherein they had farthest exceeded the just proportion. The Scottish clergy paid one half of every tax imposed on land; and as there is no reason to think that in that age they would be loaded with any unequal share of the burden, we may conclude that, by the time of the Reformation, little less than one half of the property in the nation had fallen into the hands of a society, which is always acquiring, and can never lose.

The nature, too, of a considerable part of their property, extended their influence. Many estates throughout the kingdom held of the church; church lands were let in lease at an easy rent, and were possessed by the younger sons and descendents of the best families*. The connection between *superior* and *vassal*, between landlord and tenant, created dependencies, and gave rise to an union of great advantage to the church; and in estimating the influence of the popish ecclesiastics over the nation, these, as well as the real amount of their revenues, must be attended to, and taken into the account.

This extraordinary share in the national property was accompanied with proportionable weight in the supreme council of the kingdom. At a time when the number of the temporal peers was extremely small, and when the lesser barons and representatives of boroughs seldom attended parliaments, the ecclesiastics formed a considerable body there. It appears from the ancient rolls of parliament, and from the manner of choosing the lords of articles, that the proceedings of that high court must have been, in a great measure, under their direction†.

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* Keith, 521. Not. (b).

† Spotf. Hist. of the Church of Scotland, 449.

The reverence due to their sacred character, which was often carried incredibly far, contributed not a little towards the growth of their power. The dignity, the titles, and precedence of the popish clergy are remarkable, both as causes and effects of that dominion, which they had acquired over the rest of mankind. They were regarded by the credulous laity as beings of a superior species; they were neither subject to the same laws, nor tried by the same judges†. Every guard, that religion could supply, was placed around their power, their possessions, and their persons; and endeavours were used, not without success, to represent them all as equally sacred.

The reputation for learning, which, however inconsiderable, was wholly engrossed by the clergy, added to the reverence which they derived from religion. The principles of sound philosophy, and of a just taste, were altogether unknown; in place of these, were substituted studies, barbarous and uninstructive; but as the ecclesiastics alone were conversant in them, this procured them esteem; and a very small degree of knowledge drew the admiration of rude ages, which knew little. War was the sole profession of the nobles, and hunting their chief amusement; they divided their time between these: unacquainted with the arts, and unimproved by science, they disdained any employment foreign from military affairs, or which required rather penetration and address, than bodily vigour. Wherever the former were neces-

† To what extent this exemption of the clergy from lay jurisdiction extended, appears from a curious transaction in the parliament of 1546. When that court was about to pronounce sentence of forfeiture upon the murderers of cardinal Beatoun, among whom was a priest who had actually joined in the assassination, detestable as that crime was among the clergy, they lent one of their order, and claimed that he might be freed from the judgment of parliament, because he was *a spiritual man*. Upon this he was exempted from the forfeiture. Epist. Reg. Scot. ii. 35.

ſary, the clergy were intruſted; becauſe they alone were properly qualified for the truſt. Almoſt all the high offices in civil government devolved, on this account, into their hands. The lord chancellor was the firſt ſubject in the kingdom, both in dignity and in power. From the earlieſt ages of the monarchy, to the death of cardinal Beatoun, fifty-four perſons had held that high office; and of theſe, forty-three had been eccleſiaſtics*. The lords of ſeſſion were ſupreme judges in all matters of civil right; and by its original conſtitution, the preſident and one half of the ſenators in this court were churchmen.

To all this we may add, that the clergy being ſeparated from the reſt of mankind by the law of celibacy, and undiſtracted by thoſe cares, and unincumbered with thoſe burdens, which occupy and oppreſs other men, the intereſt of their order became their only object, and they were at full leiſure to purſue it.

The nature of their function gave them acceſs to all perſons and at all ſeaſons. They could employ all the motives of fear and of hope, of terror and of conſolation, which operate moſt powerfully on the human mind. They haunted the weak and the credulous; they beſieged the beds of the ſick and of the dying; they ſuffered few to go out of the world without leaving marks of their liberality to the church, and taught them to compound with the Almighty for their ſins, by beſtowing riches upon thoſe who called themſelves his ſervants.

When their own induſtry, or the ſuperſtition of mankind failed of producing this effect, they had influence enough to call in the aid of law. Whoever died *inteſtate*, was preſumed to have deſtined his moveables to pious uſes. The church took poſſeſſion of them. The children, the wife, the creditors of the perſon deceaſed, were often excluded from any ſhare in what was eſteemed a ſacred property†. As men are apt to truſt

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* Crawf. Offic. of State.

† Eſſays on Brit. Antiq. 174. Annals of Scotland, by Sir David Dalrymple, vol. i. Append. No. ii.

to the continuance of life with foolish confidence, and childishly shun every thing that forces them to think of their mortality, many die without settling their affairs by will; and the bold usurpation of ecclesiastics in this case, of which there are frequent vestiges in our laws, though none in our historians, may be reckoned among the most plentiful sources of the wealth of the church.

At the same time all matrimonial and testamentary causes could be tried only in the spiritual courts, and by laws which the clergy themselves had framed. The penalty, too, by which the decisions of these courts were enforced, added to their authority. A sentence of excommunication was no less formidable than a sentence of outlawry. It was pronounced on many occasions, and against various crimes: and besides excluding those upon whom it fell, from Christian privileges, it deprived them of all their rights as men, or as citizens; and the aid of the secular power concurred with the superstition of mankind, in rendering the thunders of the church no less destructive than terrible.

To these general causes may be attributed the immense growth both of the wealth and power of the popish church; and without entering into any more minute detail, this may serve to discover the foundations on which a structure so stupendous was erected.

But though the laity had contributed, by their own superstition and profuseness, to raise the clergy from poverty and obscurity to riches and eminence, they began by degrees to feel and to murmur at their encroachments. No wonder haughty and martial nobles should view the power and possessions of the church with envy, and regard the lazy and inactive character of churchmen with the utmost contempt; while, at the same time, the indecent and licentious lives of the clergy, gave great and just offence to the people, and considerably abated the veneration which they were accustomed to yield to that order of men.

Immense wealth, extreme indolence, gross ignorance, and, above all, the severe injunction of celibacy, had concurred to introduce this corruption of mo-

rals among a number of clergy, who, presuming too much upon the submission of the people, were at no pains either to conceal or to disguise their own vices. According to the accounts of the reformers, confirmed by several popish writers, the most open and scandalous dissolution of manners prevailed among the Scottish clergy*. Cardinal Beatoun, with the same public pomp which is due to a legitimate child, celebrated the marriage of his natural daughter with the earl of Crawford's son†; and, if we may believe Knox, he publicly continued to the end of his days a criminal correspondence with her mother, who was a woman of rank. The other prelates seem not to have been more regular and exemplary than their primate‡.

Men of such characters ought, in reason, to have been alarmed at the first clamours raised against their own morals, and the doctrines of the church, by the protestant preachers; but the popish ecclesiastics, either out of pride or ignorance, neglected the proper methods for silencing them. Instead of reforming their lives, or disguising their vices, they affected to despise the cen-

* Winzet. ap. Keith, Append. 202, 205. Lesl. de Reb. Gest. Scot. 232.

† The marriage articles, subscribed with his own hand, in which he calls her *my daughter*, are still extant. Keith, p. 42.

‡ A remarkable proof of the dissolute manners of the clergy is found in the public records. A greater number of letters of *legitimation* was granted during the first thirty years after the Reformation, than during the whole period that has elapsed since that time. These were obtained by the sons of the popish clergy. The ecclesiastics who were allowed to retain their benefices, alienated them to their children; who, when they acquired wealth, were desirous that the stain of illegitimacy might no longer remain upon their families. In *Keith's Catalogue of Scottish Bishops*, we find several instances of such alienations of church lands, by the popish incumbents, to their natural children.

fures of the people. While the reformers, by their mortifications and aufterities, endeavoured to refemble the firft propagators of Chriftianity, the popifh clergy were compared to all thofe perfons who are moft infamous in hiftory for the enormity and fcandal of their crimes.

On the other hand, inftead of mitigating the rigour, or colouring over the abfurdity of the eftablifhed doctrines; inftead of attempting to found them upon fcripture, or to reconcile them to reafon; they left them without any other fupport or recommendation but the authority of the church and the decrees of councils. The fables concerning purgatory, the virtues of pilgrimage, and the merits of the faints, were the topics on which they infifted in their difcourfes to the people; and the duty of preaching being left wholly to monks of the loweft and moft illiterate orders, their compofitions were ftill more wretched and contemptible than the fubjects on which they infifted. While the reformers were attended by crowded and admiring audiences, the popifh preachers were either univerfally deferted, or liftened to with fcorn.

The only device which they employed in order to recover their declining reputation, or to confirm the wavering faith of the people, was equally imprudent and unfuccefsful. As many doctrines of their church had derived their credit at firft from the authority of falfe miracles, they now endeavoured to call in thefe to their aid *. But thofe lying wonders, which were beheld with unfufpicious admiration, or heard with implicit faith, in times of darknefs and of ignorance, met with a very different reception in a more enlightened period. The vigilance of the reformers detected thefe impoftures, and expofed not only them, but the caufe which needed the aid of fuch artifices, to ridicule.

As the popifh ecclefiaftics became more and more the objects of hatred and of contempt, the difcourfes of the reformers were liftened to as fo many calls to liberty;

* Spotfwood, 69.

and besides the pious indignation which they excited against those corrupt doctrines which had perverted the nature of true Christianity; besides the zeal which they inspired for the knowledge of truth, and the purity of religion; they gave rise also, among the Scottish nobles, to other views and passions. They hoped to shake off the yoke of ecclesiastical dominion, which they had long felt to be oppressive, and which they now discovered to be unchristian. They expected to recover possession of the church revenues, which they were now taught to consider as alienations made by their ancestors, with a profusion no less undiscerning than unbounded. They flattered themselves, that a check would be given to the pride and luxury of the clergy, who would be obliged, henceforward, to confine themselves within the sphere peculiar to their sacred character. An aversion for the established church, which flowed from so many concurring causes, which was raised by considerations of religion, and heightened by motives of policy, spread fast through the nation, and excited a spirit that burst out at last with irresistible violence.

Religious considerations alone were sufficient to have roused this spirit. The points in controversy with the church of Rome were of so much importance to the happiness of mankind, and so essential to Christianity, that they merited all the zeal with which the reformers contended in order to establish them. But the Reformation having been represented as the effect of some wild and enthusiastic frenzy in the human mind, this attempt to account for the eagerness and zeal with which our ancestors embraced and propagated the protestant doctrines, by taking a view of the political motives alone which influenced them, and by shewing how naturally these prompted them to act with so much ardour, will not, perhaps, be esteemed an unnecessary digression. We now return to the course of the history.

The queen's elevation to the office of regent seems to have transported her, at first, beyond the known prudence and moderation of her character. She began her administration, by conferring upon foreigners several

offices of truſt and of dignity; a ſtep which, both from the inability of ſtrangers to diſcharge their offices with vigour, and from the envy which their preferment excites among the natives, is never attended with good conſequences. Vilmort was made comptroller, and entruſted with the management of the public revenues; Bonot was appointed governor of Orkney; and Rubay honoured with the cuſtody of the great ſeal, and the title of vice-chancellor*. It was with the utmoſt indignation, that the Scots beheld offices of the greateſt eminence and authority dealt out among ſtrangers†. By theſe promotions they conceived the queen to have offered an inſult both to their underſtandings and to their courage; to the former, by ſuppoſing them unfit for thoſe ſtations which their anceſtors had filled with ſo much dignity; to the latter, by imagining that they were tame enough not to complain of an affront, which, in no former age, would have been tolerated with impunity.

While their minds were in this diſpoſition, an incident happened which inflamed their averſion from French councils to the higheſt degree. Ever ſince the famous conteſt between the houſes of Valois and Plantagenet, the French had been accuſtomed to embarraſs the Engliſh, and to divide their ſtrength by the ſudden and formidable incurſions of their allies, the Scots. But, as theſe inroads were ſeldom attended with any real advantage to Scotland, and expoſed it to the dangerous reſentment of a powerful neighbour, the Scots began to grow leſs tractable than formerly, and ſcrupled any longer to ſerve an ambitious ally at the price of their own quiet and ſecurity. The change, too, which was daily introducing into the art of war, rendered the aſſiſtance of the Scottiſh forces of leſs importance to the French monarch. For theſe reaſons, Henry having reſolved up-

* Leſly de Reb. Geſt. Scot. 189.

† The ſpirit of reſentment againſt the French was ſo violent, that it became neceſſary to paſs an act of parliament to reſtrain it. Parl. 6. Q. Mary, c. 60.

on a war with Philip II. and foreseeing that the queen of England would take part in her husband's quarrel, was extremely solicitous to secure in Scotland the assistance of some troops, which would be more at his command than an undisciplined army, led by nobles who were almost independent. In prosecution of this design, but under pretence of relieving the nobles from the expence and danger of defending the borders, the queen regent proposed in parliament, to register the value of lands throughout the kingdom, to impose on them a small tax, and to apply that revenue towards maintaining a body of regular troops in constant pay. A fixed tax upon land, which the growing expence of government hath introduced into almost every part of Europe, was unknown at that time, and seemed altogether inconsistent with the spirit of the feudal government. Nothing could be more shocking to a generous and brave nobility, than the entrusting to mercenary hands the defence of those territories which had been acquired, or preserved, by the blood of their ancestors. They received this proposal with the highest indignation. About three hundred of the lesser barons repaired in a body to the queen regent, and represented their sense of the intended innovation, with that manly and determined boldness which is natural to a free people in a martial age. Alarmed at a remonstrance delivered in so firm a tone, and supported by such formidable numbers, the queen prudently abandoned a scheme, which she found to be universally odious. As the queen herself was known perfectly to understand the circumstances and temper of the nation, this measure was imputed wholly to the suggestions of her foreign counsellors; and the Scots were ready to proceed to the most violent extremities against them.

The French, instead of extinguishing, added fuel to the flame. They had now commenced hostilities against Spain, and Philip had prevailed on the queen of England to reinforce his army with a considerable body of her troops. In order to deprive him of this aid, Henry had recourse, as he projected, to the Scots; and at-

tempted to excite them to invade England. But, as Scotland had nothing to dread from a princess of Mary's character, who, far from any ambitious scheme of disturbing her neighbours, was wholly occupied in endeavouring to reclaim her heretical subjects; the nobles who were assembled by the queen regent at Newbattle, listened to the solicitations of the French monarch with extreme coldness, and prudently declined engaging the kingdom in an enterprise so dangerous and unnecessary. What she could not obtain by persuasion, the queen regent brought about by stratagem. Notwithstanding the peace which subsisted between the two kingdoms, she commanded her French soldiers to rebuild a small fort near Berwick, which was appointed, by the last treaty, to be razed. The garrison of Berwick sallied out, interrupted the work, and ravaged the adjacent country. This insult roused the fiery spirit of the Scots, and their promptness to revenge the least appearance of national injury, dissipated, in a moment, the wise and pacific resolutions which they had so lately formed. War was determined, and orders instantly given for raising a numerous army. But before their forces could assemble, the ardour of their indignation had time to cool, and the English having discovered no intention to push the war with vigour, the nobles resumed their pacific system, and resolved to stand altogether upon the defensive. They marched to the banks of the Tweed, they prevented the incursions of the enemy; and having done what they thought sufficient for the safety and honour of their country, the queen could not induce them, either by her intreaties or her artifices, to advance another step.

While the Scots persisted in their inactivity, D'Oysel, the commander of the French troops, who possessed entirely the confidence of the queen regent, endeavoured, with her connivance, to engage the two nations in hostilities. Contrary to the orders of the Scottish general, he marched over the Tweed with his own soldiers, and invested Werk, a garrison of the English. The Scots, instead of seconding his attempt, were en-

raged at his presumption. The queen's partiality towards France, had long been suspected; but it was now visible that she wantonly sacrificed the peace and safety of Scotland to the interest of that ambitious and assuming ally. Under the feudal governments, it was in camps that subjects were accustomed to address the boldest remonstrances to their sovereigns. While arms were in their hands, they felt their own strength; and at that time all these representations of grievances carried the authority of commands. On this occasion, the indignation of the nobles broke out with such violence, that the queen, perceiving all attempts to engage them in action to be vain, abruptly dismissed her army, and retired with the utmost shame and disgust; having discovered the impotence of her own authority, without effecting any thing which could be of advantage to France*.

It is observable, that this first instance of contempt for the regent's authority can, in no degree, be imputed to the influence of the new opinions in religion. As the queen's pretensions to the regency had been principally supported by those who favoured the Reformation, and as she still needed them for a counterpoise to the archbishop of St. Andrews, and the partisans of the house of Hamilton, they were now treated by her with great respect, and even admitted to no inconsiderable share in her favour and confidence. Kirkaldy of Grange, and the other surviving conspirators against cardinal Beatoun, were, about this time, recalled by her from banishment; and, through her connivance, the protestant preachers enjoyed an interval of tranquillity, which was of great advantage to their cause. Soothed by these instances of the queen's moderation and humanity, the protestants abandoned the office of remonstrating to others; and the leaders of the opposite factions set them the first example of disputing the will of their sovereign.

As the queen regent felt how limited and precarious

* Strype's Memor. iii. Append. 274. Lesly, 196.

This grant, by which Mary bestowed the inheritance of her kingdom upon strangers, was concealed with the utmost care from her subjects. They seem, however, not to have been unacquainted with the intention of the French to overturn the settlement of the succession in favour of the duke of Chatellerault. The zeal with which the archbishop of St. Andrews opposed all the measures of the queen regent, evidently proceeded from the fears and suspicions of that prudent prelate on this head†.

The marriage, however, was celebrated with great pomp; and the French, who had hitherto affected to draw a veil over their designs upon Scotland, began now to unfold their intentions without any disguise. In the treaty of marriage, the deputies had agreed that the dauphin should assume the name of king of Scotland. This they considered only as an honorary title; but the French laboured to annex to it some solid privileges and powers. They insisted that the dauphin's title should be publicly recognised; that the *crown matrimonial* should be conferred upon him; and that all the rights pertaining to the husband of a queen should be vested in his person. By the laws of Scotland, a person who married an heiress kept possession of her estate during his own life, if she happened to die without children*. This was called the *courtesy of Scotland.* The French aimed at applying this rule, which takes place in private inheritances, to the succession of the kingdom; and that seems to be implied in their demand of the *crown matrimonial*, a phrase peculiar to the Scottish historians, and which they have neglected to explain†.

† About this time the French seem to have had some design of reviving the earl of Lennox's pretensions to the succession, in order to intimidate and alarm the duke of Chatelherault. Haynes, 215. 219. Forbes's collect. vol. i. 189.

* Reg. Maj. lib. ii. 48.

† It seems to have been the usage of Scotland for the husband of the queen, by the gift of the *crown matrimo-*

As the French had reason to expect difficulties in carrying through this measure, they began with sounding the deputies who were then at Paris. The English in the marriage-articles between their queen and Philip of Spain, had set an example to the age, of that prudent jealousy and reserve, with which a foreigner should be admitted near the throne. Full of the same ideas, the Scottish deputies had, in their oath of allegiance to the dauphin, expressed themselves with remarkable caution‡. Their answer was in the same spirit, respectful, but firm; and discovered a fixed resolution of consenting to nothing that tended to introduce any alteration in the order of the succession to the crown.

Four of the deputies § happening to die before they returned into Scotland, this accident was universally imputed to the effects of poison, which was supposed to have been given them by the emissaries of the house of Guise. The historians of all nations discover an amazing credulity with respect to reports of this kind, which are so well calculated to please the malignity of some men, and to gratify the love of the marvellous, which is natural to all, that in every age they have been

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nial, to assume the title of king, to sign public instruments, along with the queen, and to have his name stamped on all the coinage. Thus his authority became equally powerful and necessary as that of the queen, because without his agreement and signature, no public deed was esteemed as valid or binding. But this usage obtained only during the continuance of the marriage. Hence the commissioners to the dauphin became bound by their oath of fidelity to him only during the life of the queen. But the assassinators of Rizzio bound themselves to procure for Darnley a grant of the *crown matrimonial* for the whole term of his life, which was departing from the custom of former times. Keith, Append. 120. Good, i. 227.

‡ Keith, Append. 20.

§ The bishop of Orkney, the earl of Rothes, the earl of Cassils, and lord Fleming.

ſwallowed without examination, and believed contrary to reaſon. No wonder the Scots ſhould eaſily give credit to a ſuſpicion, which received ſuch ſtrong colours of probability, both from their own reſentment, and from the known character of the princes of Lorrain, ſo little ſcrupulous about the juſtice of the ends which they purſued, or of the means which they employed. For the honour of human nature it muſt, however, be obſerved, that as we can diſcover no motive which could induce any man to perpetrate ſuch a crime, ſo there appears no evidence to prove that it was committed. But the Scots of that age, influenced by national animoſities and prejudices, were incapable of examining the circumſtances of the caſe with calmneſs, or of judging concerning them with candour. All parties agreed in believing the French to have been guilty of this deteſtable action; and it is obvious how much this tended to increaſe the averſion for them, which was growing among all ranks of men.

Notwithſtanding the cold reception which their propoſal concerning the *crown matrimonial* met with from the Scottiſh deputies, the French ventured to move it in parliament. The partiſans of the houſe of Hamilton, ſuſpicious of their deſigns upon the ſucceſſion, oppoſed it with great zeal. But a party, which the feeble and unſteady conduct of their leader had brought under much diſreputation, was little able to withſtand the influence of France, and the addreſs of the queen regent, ſeconded, on this occaſion, by all the numerous adherents of the Reformation. Beſides, that artful princeſs dreſſed out the French demands in a leſs offenſive garb, and threw in ſo many limitations, as ſeemed to render them of ſmall conſequence. Theſe either deceived the Scots, or removed their ſcruples; and in compliance to the queen, they paſſed an act, conferring the *crown matrimonial* on the dauphin; and with the fondeſt credulity, truſted to the frail ſecurity of words and ſtatutes, againſt the dangerous encroachments of power *.

* The act of parliament is worded with the utmoſt

The concurrence of the protestants with the queen regent, in promoting a measure so acceptable to France, while the popish clergy, under the influence of the archbishop of St. Andrews, opposed it with so much violence †, is one of those singular circumstances in the conduct of parties, for which this period is so remarkable. It may be ascribed, in some degree, to the dexterous management of the queen, but chiefly to the moderation of those who favoured the Reformation. The protestants were by this time almost equal to the catholics, both in power and in number; and, conscious of their own strength, they submitted with impatience to that tyrannical authority with which the ancient laws armed the ecclesiastics against them. They longed to be exempted from this oppressive jurisdiction, and publicly to enjoy the liberty of professing those opinions, and of exercising that worship, which so great a part of the nation deemed to be founded in truth, and to be acceptable to the Deity. This indulgence, to which the whole weight of priestly authority was opposed, there were only two ways of obtaining. Either violence must extort it from the reluctant hand of their sovereign, or by prudent compliances they might expect it from her favour or her gratitude. The former is an expedient for the redress of grievances, to which no nation has recourse suddenly; and subjects seldom venture upon resistance, which is their last remedy, but in cases of extreme necessity. On this occasion the Reformers wisely held the opposite course, and by their zeal in forwarding the queen's designs, they hoped to merit her protection.

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care, with a view to guard against any breach of the order of succession. But the duke, not relying on this alone, entered a solemn protestation to secure his own right. Keith, 76. It is plain that he suspected the French of having some intention to set aside his right of succession; and indeed, if they had no design of that kind, the eagerness with which they urged their demand, was childish.

† Mely, 47.

This disposition the queen encouraged to the utmost, and amused them so artfully with many promises, and some concessions, that, by their assistance she surmounted in parliament the force of a national and perhaps a laudable jealousy, which would otherwise have swayed with the greater number.

Another circumstance contributed somewhat to acquire the regent such considerable influence in this parliament. In Scotland, all the bishoprics, and those abbeys which conferred a title to a seat in parliament, were in the gift of the crown†. From the time of her accession to the regency, the queen had kept in her own hands almost all those which became vacant, except such as were, to the great disgust of the nation, bestowed upon foreigners. Among these, her brother the cardinal of Lorrain had obtained the abbeys of Kelso and Melross, two of the most wealthy foundations in the kingdom‡. By this conduct, she thinned the ecclesiastical bench‖, which was entirely under the influence of the archbishop of St. Andrews, and by its numbers and authority had great weight in the house, so as to render any opposition it could give at that period of little consequence.

The earl of Argyll, and James Stewart prior of St. Andrews, one of the most powerful, and the other the most popular leader of the protestants, were appointed to carry the crown and other ensigns of royalty to the dauphin. But from this they were diverted by the part they were called to act in a more interesting scene, which now begins to open.

Before we turn towards this, it is necessary to observe, that on the 17th of November, 1558, Mary of England finished her short and inglorious reign. Her sister Elizabeth took possession of the throne without opposition; and the protestant religion was once more established

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† See Book I. ‡ Lesly, 202.

‖ It appears from the rolls of this parliament, which Lesly calls a very full one, that only seven bishops and sixteen abbots were present.

by law in England. The acceſſion of a queen, who, under very difficult circumſtances, had given ſtrong indications of thoſe eminent qualities, which, in the ſequel, rendered her reign ſo illuſtrious, attracted the eyes of all Europe. Among the Scots both parties obſerved her firſt motions with the utmoſt ſolicitude, as they eaſily foreſaw that ſhe would not remain long an indifferent ſpectator of their tranſactions.

Under many diſcouragements and much oppreſſion, the Reformation advanced towards a full eſtabliſhment in Scotland. All the low country, the moſt populous, and that time the moſt warlike part of the kingdom, was deeply tinctured with the proteſtant opinions; and if the ſame impreſſions were not made in the more diſtant counties, it was owing to no want of the ſame diſpoſitions among the people, but to the ſcarcity of preachers, whoſe moſt indefatigable zeal could not ſatisfy the avidity of thoſe who deſired their inſtructions. Among a people bred to arms, and ſo prone to mutiny as the Scots, and in an age when religious paſſions had taken ſuch ſtrong poſſeſſion of the human mind, and moved and agitated it with ſo much violence, the peaceable and regular demeanour of ſo numerous a party is truly aſtoniſhing. From the death of Mr. Patrick Hamilton, the firſt who ſuffered in Scotland for the proteſtant religion, thirty years had elapſed, and during ſo long a period no violation of public order or tranquillity had proceeded from that ſect *; and though, rouſed and irritated by the moſt cruel exceſſes of eccleſiaſtical tyranny, they did, in no inſtance, tranſgreſs thoſe bounds of duty which the law preſcribes to ſubjects. Beſides the prudence of their own leaders, and the protection which the queen regent, from political motives, afforded them, the moderation of the archbiſhop of St. Andrews encouraged the pacific diſpoſition. That prelate,

* The murder of cardinal Beatoun was occaſioned by private revenge; and being contrived and executed by ſixteen perſons, cannot with juſtice be imputed to the whole proteſtant party.

whose private life contemporary writers tax with great irregularities*, governed the church, for some years, with a temper and prudence of which there are few examples in that age. But some time before the meeting of last parliament, the archbishop departed from those humane maxims by which he had hitherto regulated his conduct; and whether in spite to the queen, who had entered into so close an union with the protestants, or in compliance with the importunities of his clergy, he let loose all the rage of persecution against the reformed; sentenced to the flames an aged priest, who had been convicted of embracing the protestant opinions; and summoned several others, suspected of the same crime, to appear before a synod of the clergy, which was soon to convene at Edinburgh.

Nothing could equal the horror of the protestants at this unexpected and barbarous execution, but the zeal with which they espoused the defence of a cause that now seemed devoted to destruction. They had immediate recourse to the queen regent; and as her success in the parliament, which was then about to meet, depended on their concurrence, she not only sheltered them from the impending storm, but permitted them the exercise of their religion with more freedom than they had hitherto enjoyed. Unsatisfied with this precarious tenure by which they held their religious liberty, the protestants laboured to render their possession of it more secure and independent. With this view they determined to petition the parliament for some legal protection against the exorbitant and oppressive jurisdiction of the ecclesiastical courts, which, by their arbitrary method of proceeding, founded on the canon law, were led to sentences the most shocking to humanity, by maxims the most repugnant to justice. But the queen, who dreaded the effect of a debate on this delicate subject, which could not fail of exciting high and dangerous passions, prevailed on the leaders of the party, by new and more solemn promises of her protection,

* Knox, Buchanan, Keith, 208.

to desist from any application to parliament, where their numbers and influence would, in all probability, have procured them, if not the entire redress, at least some mitigation of their grievances.

They applied to another assembly, to a convocation of the popish clergy, but with the same ill success which hath always attended every proposal for reformation, addressed to that order of men. To abandon usurped power, to renounce lucrative error, are sacrifices, which the virtue of individuals has, on some occasions, offered to truth; but from any society of men no such effort can be expected. The corruptions of a society, recommended by common utility, and justified by universal practice, are viewed by its members without shame or horror; and reformation never proceeds from themselves, but is always forced upon them by some foreign hand. Suitable to this unfeeling and inflexible spirit was the behaviour of the convocation in the present conjuncture. All the demands of the protestants were rejected with contempt; and the popish clergy, far from endeavouring, by any prudent concessions, to soothe, and to reconcile such a numerous body, asserted the doctrines of their church, with respect to some of the most exceptionable articles, with an ill-timed rigour, which gave new offence †.

During the sitting of the convocation, the protestants first began to suspect some change in the regent's disposition towards them. Though joined with them for many years by interest, and united, as they conceived, by the strongest ties of affection and of gratitude, she discovered, on this occasion, evident symptoms, not only of coldness, but of a growing disgust and aversion. In order to account for this, our historians do little more than produce the trite observations concerning the influence of prosperity to alter the character and to corrupt the heart. The queen, say they, having reached the utmost point to which her ambition aspired, no longer preserved her accustomed moderation, but, with

† Keith, 81.

an insolence usual to the fortunate, looked down upon those by whose assistance she had been enabled to rise so high. But it is neither in the depravity of the human heart, nor in the ingratitude of the queen's disposition, that we must search for the motives of her present conduct. These were derived from another, and a more remote source, which, in order to clear the subsequent transactions, we shall endeavour to open with some care.

The ambition of the princes of Lorrain had been no less successful than daring; but all their schemes were distinguished by being vast and unbounded. Strangers at the court of France, their eminent qualities had raised them, in a short time, to an height of power, superior to that of all other subjects, and had placed them on a level even with the princes of the blood themselves. The church, the army, the revenue, were under their direction. Nothing but the royal dignity remained unattained, and into a near alliance with it they were elevated by the marriage of the queen of Scots to the dauphin. In order to gratify their own vanity, and to render their niece more worthy the heir of France, they set on foot her claim to the crown of England, which was founded on pretences not unplausible.

The tragical amours and marriages of Henry VIII. are known to all the world. Moved by the caprices of his love, or of his resentment, that impatient and arbitrary monarch had divorced or beheaded four of the six queens whom he married. In order to gratify him, both his daughters had been declared illegitimate by act of parliament; and yet, with that fantastic inconsistence which distinguishes his character, he, in his last will, whereby he was empowered to settle the order of succession, called both of them to the throne upon the death of their brother Edward; and, at the same time, passing by the posterity of his eldest sister Margaret queen of Scotland, he appointed the line of succession to continue in the descendents of his younger sister, the duchess of Suffolk.

In consequence of this destination, the validity whereof

was admitted by the English, but never recognised by foreigners, Mary had reigned in England without the least complaint of neighbouring princes. But the same causes which facilitated her accession to the throne were obstacles to the elevation of her sister Elizabeth, and rendered her possession of it precarious and insecure. Rome trembled for the catholic faith, under a protestant queen of such eminent abilities. The same superstitious fears alarmed the court of Spain. France beheld with indignation a throne, to which the queen of Scots could form so many pretensions, occupied by a rival, whose birth, in the opinion of all good catholics, excluded her from any legal right of succession. The impotent hatred of the Roman pontiff, or the slow councils of Philip II. would have produced no sudden or formidable effect. The ardent and impetuous ambition of the princes of Lorrain, who at that time governed the court of France, was more decisive, and more to be dreaded. Instigated by them, Henry, soon after the death of Mary, persuaded his daughter-in-law, and her husband, to assume the title of king and queen of England. They affected to publish this to all Europe. They used that style and appellation in public papers, some of which still remain*. The arms of England were engraved on their coin and plate, and borne by them on all occasions. No preparations, however, were made to support this impolitic and premature claim. Elizabeth was already seated on her throne; she possessed all the intrepidity of spirit, and all the arts of policy, which were necessary for maintaining that station. England was growing into reputation for naval power. The marine of France had been utterly neglected; and Scotland remained the only avenue by which the territories of Elizabeth could be approached. It was on that side, therefore, that the princes of Lorrain determined to make their attack†; and, by using the name and pretensions of the Scottish queen, they

* Anders. Diplom. Scot. No. 68 and 164.

† Forbes, Collect. i. 253.

hoped to rouse the English catholics, formidable at that time by their zeal and numbers, and exasperated to the utmost against Elizabeth, on account of the change which she had made in the national religion.

It was vain to expect the assistance of the Scottish protestants to dethrone a queen, whom all Europe esteemed the guardian and defender of the reformed faith. To break the power and reputation of that party in Scotland became, for this reason, a necessary step towards the invasion of England. With this the princes of Lorrain resolved to open their scheme. And as persecution was the only method for suppressing religious opinions known in that age, or dictated by the despotic and sanguinary spirit of the Romish superstition, this, in its utmost violence, they determined to employ. The earl of Argyle, the prior of St. Andrews, and other leaders of the party, were marked out by them for immediate destruction †; and they hoped, by punishing them, to intimidate their followers. Instructions for this purpose were sent from France to the queen regent. That humane and sagacious princess condemned a measure which was equally violent and impolitic. By long residence in Scotland, she had become acquainted with the eager and impatient temper of the nation; she well knew the power, the number, and popularity of the protestant leaders; and had been a witness to the intrepid and unconquerable resolution which religious fervour could inspire. What then could be gained by rousing this dangerous spirit, which hitherto all the arts of policy had scarcely been able to restrain? If it once broke loose, the authority of a regent would be little capable to subdue, or even to moderate its rage. If, in order to quell it, foreign forces were called in, this would give the alarm to the whole nation, irritated already at the excessive power which the French possessed in the kingdom, and suspicious of all their designs. Amidst the shock which this might occasion, far from hoping to exterminate the protestant

† Forbes, i, 142.

doctrine, it would be well if the whole fabric of the established church were not shaken, and perhaps overturned from the foundation. These prudent remonstrances made no impression on her brothers; precipitant, but inflexible in all their resolutions, they insisted on the full and rigorous execution of their plan. Mary, passionately devoted to the interest of France, and ready, on all occasions, to sacrifice her own opinions to the inclinations of her brothers, prepared to execute their commands with implicit submission *; and, contrary to her own judgment and to all the rules of sound policy, she became the instrument of exciting civil commotions in Scotland, which ended with the ruin of the French power, and of the popish religion in that kingdom.

From the time of the queen's competition for the regency with the duke of Chatelherault, the popish clergy, under the direction of the archbishop of St. Andrews, had set themselves in opposition to all her measures. Her first step toward the execution of her new scheme, was to regain their favour. Nor was this reconcilement a matter of difficulty. The popish ecclesiastics, separated from the rest of mankind by the law of celibacy, the boldest and most successful invention of human policy, and combined among themselves in the closest and most sacred union, have been accustomed, in every age, to sacrifice all private and particular passions to the dignity and interest of their order. Delighted on this occasion with the prospect of triumphing over a faction, the encroachments of which they had long dreaded, and animated with the hopes of re-establishing their declining grandeur on a firmer basis; they at once cancelled the memory of past injuries, and engaged to second the queen in all her attempts to check the progress of the Reformation. The queen, being secure of their assistance, openly approved of the decrees of the convocation, by which the principles of the reformers were condemned; and at the same time she issued a proclamation, enjoining all persons to ob-

* Melv. 48. Mem. de Castlenau, ap. Jebb, vol. ii. 446.

ferve the approaching feftival of Eafter according to the Romifh ritual.

As it was no longer poffible to miftake the queen's intentions, the proteftants, who faw the danger approach, in order to avert it, employed the earl of Glencairn, and Sir Hugh Campbell of London, to expoftulate with her concerning this change towards feverity, which their former fervices had fo little merited, and which her reiterated promifes gave them no reafon to expect. She, without difguife or apology, avowed to them her refolution of extirpating the reformed religion out of the kingdom. And, upon their urging her former engagements with an uncourtly, but honeft boldnefs, fhe fo far forgot her ufual moderation, as to utter a fentiment, which, however apt thofe of royal condition may be to entertain it, prudence fhould teach them to conceal with the utmoft care. "The promifes of princes, (fays fhe) ought not be too carefully remembered, nor the performance of them exacted, unlefs it fuits their own conveniency."

The indignation which betrayed the queen into this rafh expreffion, was nothing in comparifon of that with which fhe was animated, upon hearing that the public exercife of the reformed religion had been introduced into the town of Perth. At once fhe threw off the mafk, and iffued a mandate, commanding all the proteftant preachers in the kingdom to be fummoned to a court of juftice, which was to be held at Stirling on the tenth of May. The proteftants, who from their union, began about this time to be diftinguifhed by the name of the CONGREGATION, were alarmed, but not intimidated by this danger; and inftantly refolved not to abandon the men to whom they were indebted for the moft valuable of all bleffings, the knowledge of truth. At that time there prevailed in Scotland, with refpect to criminal trials, a cuftom, introduced at firft by the inftitutions of vaffalage and clanfhip, and tolerated afterwards under a feeble government: perfons accufed of any crime were accompanied to the place of trial by a retinue of their friends and adherents, affembled for that

purpose from every corner of the kingdom. Authorised by this ancient practice, the reformed convened in great numbers, to attend their pastors to Stirling. The queen dreaded their approach with a train so numerous, though unarmed; and in order to prevent them from advancing, she empowered John Erskine of Dun, a person of eminent authority with the party, to promise in her name that she would put a stop to the intended trial, on condition the preachers and their retinue advanced no nearer to Stirling. Erskine, being convinced himself of the queen's sincerity, served her with the utmost zeal; and the protestants, averse from proceeding to any act of violence, listened with pleasure to so pacific a proposition. The preachers, with a few leaders of the party, remained at Perth; the multitude which had gathered from different parts of the kingdom dispersed, and retired to their own habitations.

But, notwithstanding this solemn promise, the queen, on the tenth of May, proceeded to call to trial the persons who had been summoned, and upon their non-appearance the rigour of justice took place, and they were pronounced outlaws. By this ignoble artifice, so incompatible with regal dignity, and so inconsistent with that integrity which should prevail in all transactions between sovereigns and their subjects, the queen forfeited the esteem and confidence of the whole nation. The protestants, shocked no less at the indecency with which she violated the public faith, than at the danger which threatened themselves, prepared boldly for their own defence. Erskine, enraged at having been made the instrument for deceiving his party, instantly abandoned Stirling, and repairing to Perth, added to the zeal of his associates, by his representations of the queen's inflexible resolution to suppress their religion.

The popular rhetoric of Knox powerfully seconded his representations: but having been carried a prisoner into France, together with the other persons taken in the castle of St. Andrews, soon made his escape out of that country; and residing sometimes in England, and sometimes in Scotland, had at last been driven out of both kingdoms by the rage of the popish clergy, and

was obliged to retire to Geneva. Thence he was called by the leaders of the proteſtants in Scotland; and, in compliance with their ſolicitations, he ſet out for his native country, where he arrived a few days before the trial appointed at Stirling. He hurried inſtantly to Perth to ſhare with his brethren in the common danger, or to aſſiſt them in the common cauſe. While their minds were in that ferment, which the queen's perfidiouſneſs and their own danger occaſioned, he mounted the pulpit, and by a vehement harangue againſt idolatry, inflamed the multitude with the utmoſt rage. The indiſcretion of a prieſt, who, immediately after Knox's ſermon, was preparing to celebrate maſs, and began to decorate the altar for that purpoſe, precipitated them into immediate action. With tumultuary, but irreſiſtable violence, they fell upon the churches in that city, overturned the altars, defaced the pictures, broke in pieces the images; and proceeding next to the monaſteries, they in a few hours laid thoſe ſumptuous fabrics almoſt level with the ground. This riotous inſurrection was not the effect of any concert, or previous deliberation: cenſured by the reformed preachers, and publicly condemned by perſons of moſt power and credit with the party, it muſt be regarded merely as an accidental eruption of popular rage*.

But to the queen herſelf theſe proceedings appeared in a very different light. Beſides their manifeſt contempt for her authority, the proteſtants had violated every thing in religion which ſhe eſteemed venerable or holy; and on both theſe accounts ſhe determined to inflict the ſevereſt vengeance on the whole party. She had already drawn the troops in French pay to Stirling; with theſe, and what Scottiſh forces ſhe could levy of a ſudden, ſhe marched directly to Perth, in hopes of ſurpriſing the proteſtant leaders before they would aſſemble their followers, whom, out of confidence in her diſingenuous promiſes, they were raſhly induced to diſmiſs. Intelligence of theſe preparations and menaces

* Knox, Hiſt. 127, 128.

was ſoon conveyed to Perth. The proteſtants would gladly have ſoothed the queen, by addreſſes both to herſelf and to the perſons of greateſt credit in her court; but finding her inexorable, they, with great vigour, took meaſures for their own defence. Their adherents, animated with zeal for religion, and eager to expoſe themſelves in ſo good a cauſe, flocked in ſuch numbers to Perth, that they not only ſecured the town from danger, but were, within a few days, in a condition to take the field, and to face the queen, who advanced with an army ſeven thouſand ſtrong.

Neither party, however, was impatient to engage. The queen dreaded the event of a battle with men, whom the fervour of religion raiſed above the ſenſe of fear, or of danger. The proteſtants beheld, with regret, the earl of Argyle, the prior of St. Andrews, and ſome other eminent perſons of their party, ſtill adhering to the queen; and deſtitute of their aid and council, declined hazarding an action, the ill ſucceſs of which might have proved the ruin of their cauſe. The proſpect of an accommodation was for theſe reaſons highly acceptable to both ſides, Argyle and the prior, who were the queen's commiſſioners for conducting the negociation, ſeem to have been ſincerely deſirous of reconciling the contending factions; and the earl of Glencairn arriving unexpectedly with a powerful reinforcement to the congregation, augmented the queen's eagerneſs for peace. A treaty was accordingly concluded, in which it was ſtipulated, that both armies ſhould be diſbanded, and the gates of Perth ſet open to the queen; that indemnity ſhould be granted to the inhabitants of that city, and to all others concerned in the late inſurrection; that no French garriſon ſhould be left in Perth, and no French ſoldiers ſhould approach within three miles of that place; and that a parliament ſhould immediately be held, in order to compoſe whatever differences might ſtill remain *.

The leaders of the congregation, diſtruſtful of the

* Keith, 89.

queen's ſinceri[t]y, and ſenſible tha[t] conceſſions, flowing not from inclination, but extorted by the neceſſity of her affairs, could not long remain in force, entered into a new aſſociation, by which they bound themſelves, on the firſt infringement of the preſent treaty, or in the leaſt appearance of danger to th[e]ir religion, to re-aſſemble their followers, and to take arms in defence of what they deemed the cauſe of God and of their country *.

The queen, by her conduct, demonſtrated theſe pr[e]cautions to be the reſult of no groundleſs or unneceſſary fear. No ſooner were the proteſtant forces diſmiſſed, than ſhe broke every article in the treaty. She introduced French troops into Perth, fined ſome of the inhabitants, baniſhed others, removed the magiſtrates out of office; and, on her retiring to Stirling, ſhe left behind her a garriſon of ſix hundred men, with orders to allow the exerciſe of no other religion than the Roman catholic. The ſituation of Perth, a place at that time of ſome ſtrength, and a town the moſt proper of any in the kingdom for the ſtation of a garriſon, ſeems to have allured the queen to this unjuſtifiable and ill-judged breach of public faith; which ſhe endeavoured to colour, by alleging that the body of men left at Perth was entirely compoſed of native Scots, though kept in pay by the king of France.

The queen's ſcheme began gradually to unfold; it was now apparent, that not only the religion, but the liberties of the kingdom were threatened; and that the French troops were to be employed as inſtruments for ſubduing the Scots, and wreathing the yoke upon their necks. Martial as the genius of the Scots then was, the poverty of their country made it impoſſible to keep their armies long aſſembled; and even a very ſmall body of regular troops might have proved formidable to the nation, though conſiſting wholly of ſoldiers. But what number of French forces were then in Scotland, at what times, and under what pretext they returned, after having left the kingdom in the year 1550, we cannot

* Knox, 138.

with any certainty determine. Cotemporary historians often select with little judgment the circumstances which they transmit to posterity; and, with respect to matters of the greatest curiosity and importance, leave succeeding ages altogether in the dark. We may conjecture, however, from some passages in Buchanan, that the French, and Scots in French pay, amounted at least to three thousand men, under the command of Monsieur D'Oysel, a creature of the house of Guise; and they were soon augmented to a much more formidable number.

The queen, encouraged by having so considerable a body of well-disciplined troops at her command, and instigated by the violent counsels of D'Oysel, had ventured, as we have observed, to violate the treaty of Perth, and, by that rash action, once more threw the nation into the most dangerous convulsions. The earl of Argyll and prior of St. Andrews instantly deserted a court where faith and honour seemed to be no longer regarded, and went over to the leaders of the congregation, who had retired to the eastern extremity of Fife. The barons from the neighbouring counties repaired to them, the preachers roused the people to arms, and wherever they came, the same violent operations which accident had occasioned at Perth, were now encouraged out of policy. The enraged multitude was let loose, and churches and monasteries, the monuments of ecclesiastic pride and luxury, were sacrificed to their zeal.

In order to check their career, the queen, without losing a moment, put her troops in motion; but the zeal of the congregation got the start once more of her vigilance and activity. In that warlike age, when all men were accustomed to arms, and on the least prospect of danger were ready to run to them, the leaders of the protestants found no difficulty to raise an army. Tho' they set out from St. Andrews with a slender train of an hundred horse, crowds flocked to their standards from every corner of the country through which they marched; and before they reached Falkland, a village

only ten miles distant, they were able to meet the queen with superior force ‖.

The queen, surprised at the approach of so formidable a body, which was drawn up by its leaders in such a manner as added greatly in appearance to its numbers, had again recourse to negociation. She found, however, that the preservation of the protestant religion, their zeal for which had at first roused the leaders of the congregation to take arms, was not the only object they had now in view. They were animated with the warmest love of civil liberty, which they conceived to be in imminent danger from the attempts of the French forces; and these two passions mingling, added reciprocally to each other's strength. Together with more enlarged notions in religion, the Reformation filled the human mind with more liberal and generous sentiments concerning civil government. The genius of popery is extremely favourable to the power of princes. The implicit submission to all her decrees, which is exacted by the Romish church, prepares and breaks the mind for political servitude; and the doctrines of the reformers, by overturning the established system of superstition, weakened the firmest foundations of civil tyranny. That bold spirit of inquiry, which led men to reject theological errors, accompanied them into other sciences, and discovered every where, the same manly zeal for truth. A new study, introduced at the same time, added greater force to the spirit of liberty. Men became more acquainted with the Greek and Roman authors, who described exquisite models of free government, far superior to the inaccurate and oppressive system established by the feudal law; and produced such illustrious examples of public virtue, as wonderfully suited both the circumstances and spirit of that age. Many among the most eminent reformers were themselves considerable masters in ancient learning; and all of them eagerly adopted the maxims and spirit of the ancients, with

‖ Knox, 141.

regard to government§. The most ardent love of liberty accompanied the protestant religion throughout all its progress; and wherever it was embraced, it roused an independent spirit, which rendered men attentive to their privileges as subjects, and jealous of the encroachments of their sovereigns. Knox, and the other preachers of the Reformation, infused generous sentiments concerning government into the minds of their hearers; and the Scottish barons, naturally free and bold, were prompted to assert their rights with more freedom and boldness than ever. Instead of obeying the queen regent, who had enjoined them to lay down their arms, they demanded not only the redress of their religious grievances, but as a preliminary toward settling the nation, and securing its liberties, required the immediate expulsion of the French troops out of Scotland. It was not in the queen's power to make so important a concession without the concurrence of the French monarch; and as some time was requisite in order to obtain that, she hoped, during this interval, to receive such reinforcements from France, as would insure the accomplishment of that design which she had twice attempted with unequal strength. Meanwhile, she agreed to a cessation of arms for eight days, and before the expiration of these, engaged to transport the French troops to the other side of the Forth; and to send commissioners to St. Andrews, who should labour to bring all differ-

§ The excessive admiration of ancient policy was the occasion of Knox's famous book concerning the *Government of Women*, wherein, conformable to the maxims of the ancient legislators, which modern experience has proved to be ill founded, he pronounces the elevation of women to the supreme authority to be utterly destructive of good government. His principles, authorities, and examples, were all drawn from ancient writers. The same observation may be made with regard to Buchanan's Dialogue, *De Jure Regni apud Scotos.* It is founded, not on the maxims of feudal, but of ancient republican government.

ences to an accommodation. As she hoped, by means of the French troops, to overawe the proteſtants in the ſouthern counties, the former article in the treaty was punctually executed; the latter, having been inſerted merely to amuſe the congregation, was no longer remembered.

By theſe reiterated and wanton inſtances of perfidy, the queen loſt all credit with her adverſaries; and no ſafety appearing in any other courſe, they again took arms with more inflamed reſentment, and with bolder and more extenſive views. The removing of the French forces had laid open to them all the country ſituated between Forth and Tay. Perth alone remained ſubjected to the inſolence and exactions of the garriſon which the queen had left there, and implored the aſſiſtance of the congregation for their relief. Thither they marched, and having without effect required the queen to evacuate the town in terms of the former treaty, they prepared to beſiege it in form. The queen employed the earl of Huntly and lord Erſkine to divert them from this enterpriſe. But her wonted artifices were now of no avail; repeated ſo often, they could deceive no longer; and without liſtening to her offers, the proteſtants continued the ſiege, and ſoon obliged the garriſon to capitulate.

After the loſs of Perth, the queen endeavoured to ſeize Stirling, a place of ſome ſtrength, and, from its command of the only bridge over the Forth, of great importance. But the leaders of the congregation, having intelligence of her deſign, prevented the execution of it, by an haſty march thither with part of their forces. The inhabitants, heartily attached to the cauſe, ſet open to them the gates of their town. Thence they advanced, with the ſame rapidity towards Edinburgh, which the queen, on their approach, abandoned with precipitation, and retired to Dunbar.

The proteſtant army, wherever it came, kindled or ſpread the ardour of Reformation, and the utmoſt exceſſes of violence were committed upon churches and monaſteries. The former were ſpoiled of every deco-

ration, which was then esteemed sacred; the latter were laid in ruins. We are apt, at this distance of time, to condemn the furious zeal of the reformers, and to regret the overthrow of so many stately fabrics, the monuments of our ancestors magnificence, and among the noblest ornaments of the kingdom. But amidst the violence of a Reformation, carried on in opposition to legal authority, some irregularities were unavoidable; and perhaps no one could have been permitted more proper to allure and interest the multitude, or more fatal to the grandeur of the established church. How absurd soever and ill-founded the speculative errors of popery may be, some inquiry and attention are requisite towards discovering them. The abuses and corruptions which had crept into the public worship of that church lay more open to observation, and, by striking the senses, excited more universal disgust. Under the long reign of heathenism, superstition seems to have exhausted its talent of invention, so that when a superstitious spirit seized Christians, they were obliged to imitate the heathens in the pomp and magnificence of their ceremonies, and to borrow from them the ornaments and decorations of their temples. To the pure and simple worship of the primitive Christians, there succeeded a species of splendid idolatry, nearly resembling those pagan originals whence it had been copied. The contrariety of such observances to the spirit of Christianity was almost the first thing, in the Romish system, which awakened the indignation of the reformers, who, applying to these the denunciations in the Old Testament against idolatry, imagined that they could not endeavour at suppressing them with too much zeal. No task could be more acceptable to the multitude, than to overturn those seats of superstition; they ran with emulation to perform it, and happy was the man whose hand was most adventurous and succesful in executing a work deemed so pious. Nor did their leaders labour to restrain this impetuous spirit of reformation. Irregular and violent as its sallies were, they tended directly to that end which they had in

view; for, by demolifhing the monafteries throughout the kingdom, and fetting at liberty their wretched inhabitants, they hoped to render it impoffible ever to re-edify the one, or to re-affemble the other.

But, amidft thefe irregular proceedings, a circumftance which does honour to the conduct and humanity of the leaders of the congregation deferves notice. They fo far reftrained the rage of their followers, and were able fo to temper their heat and zeal, that few of the Roman catholics were expofed to any perfonal infult, and not a fingle man fuffered death†.

At the fame time we difcover, by the facility with which thefe great revolutions were effected, how violently the current of national favour ran towards the Reformation. No more than three hundred men marched out of Perth under the earl of Argyle and prior of St. Andrews‡. With this inconfiderable force they advanced; but, wherever they came, the people joined them in a body; their army was feldom lefs numerous than five thoufand men; the gates of every town were thrown open to receive them; and, without ftriking a fingle blow, they took poffeffion of the capital of the kingdom.

This rapid and aftonifhing fuccefs feems to have encouraged the reformers to extend their views, and to rife in their demands. Not fatisfied with their firft claim of toleration for their religion, they now openly aimed at eftablifhing the proteftant doctrine on the ruins of popery. For this reafon they determined to fix their refidence at Edinburgh; and by their appointment Knox, and fome other preachers, taking poffeffion of the pulpits, which had been abandoned by the affrightened clergy, declaimed againft the errors of popery with fuch fervent zeal as could not fail of gaining many profelytes.

In the mean time the queen, who had prudently given way to a torrent which fhe could not refift, obferved with pleafure that it now began to fubfide. The leaders

† Lefly, ap. Jebb, vol. i. 231.
‡ Keith, 94.

of the congregation had been above two months in arms, and by the expences of a campaign, protracted so long beyond the usual time of service in that age, had exhausted all the money which a country, where riches did not abound, had been able to supply. The multitude, dazzled with their success, and concluding the work to be already done, retired to their own habitations. A few only of the more zealous or wealthy barons remained with their preachers at Edinburgh. As intelligence is procured in civil wars with little difficulty, whatever was transacted at Edinburgh was soon known at Dunbar. And the queen, regulating her own conduct by the situation of her adversaries, artfully amused them with the prospect of an immediate accommodation; while, at the same time, she by studied delays spun out the negotiations for that purpose to such a length, that, in the end, the party dwindled to an inconsiderable number; and, as if peace had been already re-established, became careless of military discipline. The queen, who watched for such an opportunity, advanced unexpectedly, by a sudden march in the night with all her forces, and appearing before Edinburgh, filled that city with the utmost consternation. The protestants weakened by the imprudent dispersion of their followers, durst not encounter the French troops in the open field; and were even unable to defend an ill-fortified town against their assaults. Unwilling, however, to abandon the citizens to the queen's mercy, they endeavoured, by facing the enemy's army, to gain time for collecting their own associates. But the queen, in spite of all their resistance, would have easily forced her way into the town, if the seasonable conclusion of a truce had not procured her admission without the effusion of blood.

Their dangerous situation easily induced the leaders of the congregation to listen to any overtures of peace; and as the queen was looking daily for the arrival of a strong reinforcement from France, and expected great advantages from a cessation of arms, she also agreed to it upon no unequal conditions. Together with a suf-

pension of hostilities, from the twenty-fourth of July to the tenth of January, it was stipulated in this treaty, that, on the one hand, the protestants should throw open the gates the next day to the queen regent; remain in dutiful subjection to her government; abstain from all future violation of religious houses; and give no interruption to the established clergy, either in the discharge of their functions, or in the enjoyment of their benefices. On the other hand, the queen agreed to give no molestation to the preachers or professors of the protestant religion; to permit the inhabitants of Edinburgh, while the truce lasted, to enjoy the exercise of whatever religion appeared most congenial to the mind of every individual; and to allow the free and open profession of the protestant ritual over all the kingdom*. The queen hoped to soothe the protestants by these liberal concessions in behalf of their religion, and expected, from indulging their favourite passion, to render them more compliant with respect to other articles, particularly the expulsion of the French troops out of Scotland. The anxiety which the queen expressed for retaining this body of men rendered them more and more the objects of national jealousy and aversion. The immediate expulsion of them was therefore demanded anew, and with greater warmth; but the queen, taking advantage of the distress of the adverse party, eluded the request, and would consent to nothing more than that a French garrison should not be introduced into Edinburgh.

The desperate state of their affairs imposed on the congregation the necessity of agreeing to this article, which, however, was very far from giving them satisfaction. Whatever apprehensions the Scots had conceived, from retaining the French forces in the kingdom, were abundantly justified during the late commotions. A small body of those troops, maintained in constant pay, and rendered formidable by regular discipline, had checked the progress of a martial people, though animated with zeal both for religion and liberty. The smallest

* Maitland, Hist. of Edin. 16.

fortunate services seemed justly to merit. That prudent minister imputed the insurrection in Scotland wholly to the duke of Guise and the cardinal of Lorrain, whose violent and precipitant councils could not fail of transporting, beyond all bounds of moderation, men whose minds were possessed with that jealousy which is inseparable from the love of civil liberty, or inflamed with that ardour which accompanies religious zeal. And, in order to convince Henry that he did not load his rivals with any groundless accusation, prevailed to have Melvil*, a Scottish gentleman of his retinue, dispatched into his native country with instructions to observe the motions both of the regent and of her adversaries; and the king agreed to regulate his future proceedings in that kingdom by Melvil's report.

Did history indulge herself in these speculations, it would be amusing to inquire what a different direction might have been given by this resolution to the national spirit; and to what a different issue Melvil's report, which would have set the conduct of the malecontents in the most favourable light, might have conducted the public disorders. Perhaps, by gentle treatment, and artful policy, the progress of the Reformation might have been checked, and Scotland brought to depend upon France. Perhaps, by gaining possession of this avenue, the French might have made their way into England, and, under colour of supporting Mary's title to the crown, it is not improbable, they might not only have overturned all Elizabeth's schemes of encouraging the Reformation, but have re-established the Roman catholic religion, and destroyed the liberties of that kingdom. But into this boundless field of fancy and conjecture the historian must make no excursions; to relate real occurrences, and to explain their real causes and effects, is his peculiar and only province.

The tragical and untimely death of the French monarch put an end to all moderate and pacific measures with regard to Scotland. The duke of Guise, and the

* The author of the Memoirs.

cardinal his brother, upon the acceſſion of Francis II. a prince void of genius and without experience, aſſumed the chief direction of French affairs. Allied ſo nearly to the throne, by the marriage of their niece the queen of Scots with the young king, they now wanted but little of regal dignity, and nothing of regal power. This power did not long remain inactive in their hands. The ſame vaſt ſchemes of ambition, which they had planned out under the former reign, were again reſumed; and they were enabled, by poſſeſſing ſuch ample authority, to purſue them with more vigour and greater probability of ſucceſs. They beheld, with infinite regret, the progreſs of the proteſtant religion in Scotland; and, ſenſible what an unſurmountable obſtacle it would prove to their deſigns, they bent all their ſtrength to check its growth, before it roſe to any greater height. For this purpoſe they carried on their preparations with all poſſible expedition, and encouraged the queen their ſiſter to expect, in a ſhort time, the arrival of an army ſo powerful as the zeal of their adverſaries, however deſperate, would not venture to oppoſe.

Nor were the lords of the congregation either ignorant of thoſe violent counſels which prevailed in the court of France ſince the death of Henry, or careleſs of providing againſt the danger which threatened them from that quarter. The ſucceſs of their cauſe, as well as their perſonal ſafety, depending entirely on the unanimity and vigour of their own reſolutions, they endeavoured to guard againſt diviſion, and to cement together more cloſely, by entering into a ſtricter bond of confederacy and mutual defence. Two perſons concurred in this new aſſociation, who brought a great acceſſion both of reputation and of power to the party. Theſe were the duke of Chatelherault, and his eldeſt ſon the earl of Arran. This young nobleman, having reſided ſome years in France, where he commanded the Scottiſh guards, had imbibed the proteſtant opinions concerning religion. Hurried along by the heat of youth and the zeal of a proſelyte, he had uttered ſen-

addition to their number, and a considerable one was daily expected, might prove fatal to public liberty, and Scotland might be exposed to the danger of being reduced from an independent kingdom to the mean condition of a province, annexed to the jurisdiction of its powerful ally.

In order to provide against this imminent calamity, the duke of Chatelherault and the earl of Huntly, immediately after concluding the truce, desired an interview with the chiefs of the congregation. These two noblemen, the most potent at that time in Scotland, were the leaders of the party which adhered to the established church. They had followed the queen during the late commotions, and having access to observe more narrowly the dangerous tendency of her councils, their abhorrence of the yoke which was preparing for their country, surmounted all other considerations, and determined them rather to endanger the religion which they professed, than to give their aid towards the execution of her pernicious designs. They proceeded farther, and promised to Argyll, Glencairn, and the prior of St. Andrews, who were appointed to meet them, that if the queen should, with her usual insincerity, violate any article in the treaty of truce, or refuse to gratify the wishes of the whole nation, by dismissing her French troops, they would then instantly join with their countrymen in compelling her to a measure, which the public safety, and the preservation of their liberties, rendered necessary*.

About this time died Henry II. of France; just when he had adopted a system with regard to the affairs of Scotland, which would, in all probability, have restored union and tranquillity to that kingdom†. Towards the close of his reign, the princes of Lorrain began visibly to decline in favour, and the constable Montmorency, by the assistance of the duchess of Valentinois, recovered that ascendant over the spirit of his master, which his great experience, and his faithful, though often un-

* Knox, 154. † Melv. 49.

timents with respect to the points in controversy, which did not suit the temper of a bigotted court, intent at that juncture on the extinction of the protestant religion; in order to accomplish which the greatest excesses of violence were committed. The church was suffered to wreak its utmost fury upon all who were suspected of heresy. Courts were erected in different parts of France, to take cognizance of this crime, and by their sentences several persons of distinction were condemned to the flames.

But, in order to inspire more universal terror, the princes of Lorrain resolved to select, for a sacrifice, some person whose fall might convince all ranks of men that neither splendour of birth, nor eminence in station, would exempt from punishment those who should be guilty of this unpardonable transgression. The earl of Arran was the person destined to be the unhappy victim †. As he was allied to one throne, and the presumptive heir to another; as he possessed the first rank in his own country, and enjoyed an honourable station in France; his condemnation could not fail of making the desired impression on the whole kingdom. But the cardinal of Lorrain having let fall some expressions which raised Arran's suspicions of the design, he escaped the intended blow by a timely flight. Indignation, zeal, resentment, all prompted him to seek revenge upon these persecutors of himself and of the religion which he professed; and as he passed through England, on his return to his native country, Elizabeth, by hopes and promises, inflamed those passions, and sent him back into Scotland, animated with the same implacable aversion to France which possessed a great part of his countrymen. He quickly communicated these sentiments to his father the duke of Chatelherault, who was already extremely disgusted with the measures carrying on in Scotland; and as it was the fate of that nobleman to be governed in every instance by those about him, he now suffered himself to be drawn from the queen regent;

† Thuan. lib. xxiv. p. 462. edit. Francof.

and, having joined the congregation, was considered, from that time, as the head of the party.

But, with respect to him, this distinction was merely nominal. James Stewart, prior of St. Andrews, was the person who moved and actuated the whole body of the protestants, among whom he possessed that unbounded confidence which his strenuous adherence to their interest and his great abilities so justly merited. He was the natural son of James V. by a daughter of lord Erskine; and, as that amorous monarch had left several others a burden upon the crown, they were all destined for the church, where they could be placed in stations of dignity and affluence. In consequence of this resolution, the priory of St. Andrews had been conferred upon James: but, during so busy a period, he soon became disgusted with the indolence and retirement of a monastic life; and his enterprising genius called him forth to act a principal part on a more public and conspicuous theatre. The scene in which he appeared required talents of different kinds: military virtue and political discernment, were equally necessary in order to render him illustrious. These he possessed in an eminent degree. To the most unquestionable personal bravery, he added great skill in the art of war; and in every enterprise his arms were crowned with success. His sagacity and penetration in civil affairs enabled him, amidst the reeling and turbulence of factions, to hold a prosperous course; while his boldness in defence of the Reformation, together with the decency, and even severity, of his manners, secured him the reputation of being sincerely attached to religion, without which it was impossible in that age to gain an ascendant over mankind.

It was not without reason that the queen dreaded the enmity of a man so capable to obstruct her designs. As she could not, with her utmost address, make the least impression on his fidelity to his associates, she endeavoured to lessen his influence, and to scatter among them the seeds of jealousy and distrust, by insinuating that the ambition of the prior aspired beyond the con-

dition of a ſubject, and aimed at nothing elſe than the crown itſelf.

An accuſation ſo improbable gained but little credit. Whatever thoughts of this kind the preſumption of unexpected ſucceſs, and his elevation to the higheſt dignity in the kingdom, may be alleged to have inſpired at any ſubſequent period, it is certain that at this juncture he could form no ſuch vaſt deſign. To dethrone a queen, who was lineal heir to an ancient race of monarchs; who had been guilty of no action by which ſhe could forfeit the eſteem and affection of her ſubjects; who could employ, in defence of her rights, the forces of a kingdom much more powerful than her own; and to ſubſtitute in her place a perſon, whom the illegitimacy of his birth, by the practice of all civilized nations, rendered incapable of any inheritance either public or private, was a project ſo chimerical as the moſt extravagant ambition would hardly entertain, and could never conceive to be practicable. The promiſe too, which the prior made to Melvil, of reſiding conſtantly in France, on condition the public grievances were redreſſed*; the confidence repoſed in him by the duke of Chatelherault and his ſon, the preſumptive heirs to the crown; and the concurrence of almoſt the whole Scottiſh nobles, in promoting the meaſures by which he gave offence to the French court; go far towards his vindication from thoſe illegal and criminal deſigns, with the imputation of which the queen endeavoured at that time to load him.

The arrival of a thouſand French ſoldiers compenſated, in ſome degree, for the loſs which the queen ſuſtained by the defection of the duke of Chatelherault. Theſe were immediately commanded to fortify Leith; in which place, on account of its commodious harbour, and its ſituation in the neighbourhood of Edinburgh, and in a plentiful country, the queen reſolved to fix the head-quarters of her foreign forces. This unpopular meaſure, by the manner of executing it, was rendered

* Melvil, 54.

for the opinions of their countrymen, her brothers, who knew her secret disapprobation of the violent meaſures they were driving on, took care to place near her ſuch perſons as betrayed her, by their inſinuations, into many actions, which her own unbiaſſed judgment would have highly condemned. As their ſucceſs in the preſent juncture, when all things were haſtening towards a criſis, depended entirely on the queen's firmneſs, the princes of Lorrain did not truſt wholly to the influence of their ordinary agents; but, in order to add the greater weight to their councils, they called in aid the miniſters of religion; and, by the authority of their ſacred character, they hoped effectually to recommend to their ſiſter that ſyſtem of ſeverity which they had eſpouſed †. With this view, but under the pretext of confounding the proteſtants by the ſkill of ſuch able maſters in controverſy, they appointed ſeveral French divines to reſide in Scotland. At the head of theſe, and with the character of legate from the pope, was Pelleve biſhop of Amiens, and afterwards archbiſhop and cardinal of Sens, a furious bigot, ſervilely devoted to the houſe of Guiſe, and a proper inſtrument for recommending or executing the moſt outrageous meaſures.

Amidſt the noiſe and danger of civil arms, theſe doctors had little opportunity to diſplay their addreſs in the uſe of their theological weapons. But they gave no ſmall offence to the nation by one of their actions. They perſuaded the queen to ſeize the church of St. Giles in Edinburgh, which had remained, ever ſince the late truce, in the hands of the proteſtants; and having, by a new and ſolemn conſecration, purified the fabric from the pollution with which they ſuppoſed the profane miniſtrations of the proteſtants to have defiled it, they, in direct contradiction to one article in the late treaty, reeſtabliſhed there the rites of the Romiſh church. This, added to the indifference, and even contempt, with which the queen received their remonſtrances, convinced the lords of the congregation, that it was not only vain

† Leſly, 215. Caſtlenau, ap. Jebb, vol. ii. 446, 473.

ſtill more unpopular. In order to bring the town entirely under their command, the French turned out a great part of the ancient inhabitants; and taking poſſeſſion of the houſes, which they had obliged them to abandon, preſented to the view of the Scots two objects equally irritating and offenſive; on the one hand, a number of their countrymen expelled their habitations by violence, and wandering without any certain abode; on the other, a colony of foreigners, ſettling with their wives and children in the heart of Scotland, growing into ſtrength by daily reinforcements, and openly preparing a yoke, to which, without ſome timely exertion of national ſpirit, the whole kingdom muſt of neceſſity ſubmit.

It was with the utmoſt concern that the lords of the congregation beheld this bold and deciſive ſtep taken by the queen regent; nor did they heſitate a moment whether they ſhould employ their whole ſtrength, in one generous effort, to reſcue their religion and liberty from impending deſtruction. But, in order to juſtify their own conduct, and to throw the blame entirely on their adverſaries, they reſolved to preſerve the appearances of decency and reſpect towards their ſuperiors, and to have no recourſe to arms without the moſt urgent and apparent neceſſity. They joined, with this view, in an addreſs to the regent, repreſenting, in the ſtrongeſt terms, their diſſatisfaction with the meaſures ſhe was purſuing, and beſeeching her to quiet the fears and jealouſies of the nation, by deſiſting from fortifying Leith. The queen, conſcious of her preſent advantageous ſituation, and elated with the hopes of freſh ſuccours, was in no diſpoſition for liſtening to demands utterly inconſiſtent with her views, and urged with that bold importunity which is ſo little acceptable to princes*.

The ſuggeſtions of her French counſellors contributed, without doubt, to alienate her ſtill farther from any ſcheme of accommodation. As the queen was ready on all occaſions to diſcover an extraordinary deference

* Haynes, 211.

to expect any redress of their grievances at her hands, but absolutely necessary to take arms in their own defence.

The eager and impetuous spirit of the nation, as well as every consideration of good policy, prompted them to take this bold step without delay. It was but a small part of the French auxiliaries which had as yet arrived. The fortifications of Leith, though advancing fast, were still far from being complete. Under these circumstances of disadvantage, they conceived it possible to surprise the queen's party, and, by one sudden and decisive blow, to prevent all future bloodshed and contention. Full of these expectations, they advanced rapidly towards Edinburgh with a numerous army. But it was no easy matter to deceive an adversary so vigilant and attentive as the queen regent. With her usual sagacity, she both foresaw the danger, and took the only proper course to avoid it. Instead of keeping the field against enemies superior in number, and formidable on a day of battle by the ardour of their courage, she retired into Leith, and determined patiently to wait the arrival of new reinforcements. Slight and unfinished as the fortifications of that town then were, she did not dread the efforts of an army, provided neither with heavy cannon, nor with military stores, and utterly ignorant of the method of attacking any place fortified with more art than those ancient towers erected all over the kingdom in defence of private property against the incursions of banditti.

Nor did the queen mean while neglect to have recourse to those arts which she had often employed to weaken or divide her adversaries. By private solicitations and promises she shook the fidelity, or abated the ardour, of some. By open reproach and accusation she blasted the reputation, and diminished the authority of, others. Her emissaries were every where at work; and, notwithstanding the zeal for religion and liberty which then animated the nation, they seem to have laboured not without success. We find Knox, about this period, abounding in complaints of the lukewarm and languid

ſpirit which had begun to ſpread among his party*. But if their zeal ſlackened a little, and ſuffered a momentary intermiſſion, it ſoon blazed up with freſh vigour, and roſe to a greater height than ever.

The queen herſelf gave occaſion to this, by the reply which ſhe made to a new remonſtrance from the lords of the congregation. Upon their arrival at Edinburgh, they once more repreſented to her the dangers ariſing from the increaſe of the French troops, the fortifying of Leith, and her other meaſures, which they conceived to be deſtructive to the peace and liberty of the kingdom; and in this addreſs they ſpoke in a firmer tone, and avowed, more openly than ever, their reſolution of proceeding to the utmoſt extremities, in order to put a ſtop to ſuch dangerous encroachments. To a remonſtrance of this nature, and urged with ſo much boldneſs, the queen replied in terms no leſs vigorous and explicit. She pretended that ſhe was not accountable to the confederate lords for any part of her conduct; and upon no repreſentation of theirs would ſhe either abandon meaſures which ſhe deemed neceſſary, or diſmiſs forces which ſhe found uſeful, or demoliſh a fortification which might prove of advantage. At the ſame time ſhe required them, on pain of treaſon, to diſband the forces which they had aſſembled.

This haughty and imperious ſtyle ſounded harſhly to Scottiſh nobles, impatient, from their national character, of the ſlighteſt appearance of injury; accuſtomed even from their own monarchs to the moſt reſpectful treatment; and poſſeſſing, under an ariſtocratical form of government, ſuch a ſhare of power, as equalled, at all times, and often controlled that of the ſovereign. They were ſenſible, at once, of the indignity offered to themſelves, and alarmed with this plain declaration of the queen's intentions, and as there now remained but one ſtep to take, they wanted neither public ſpirit nor reſolution to take it.

But, that they might not ſeem to depart from the eſtabliſhed forms of the conſtitution, for which, even amidſt

* Knox, 180.

their most violent operations men always retain the greatest reverence, they assembled the whole peers, barons, and representatives of boroughs, who adhered to their party. These formed a convention, which exceeded in number, and equalled in dignity, the usual meetings of parliament. The leaders of the congregation laid before them the declaration which the queen had given in answer to their remonstrance; represented the unavoidable ruin which the measures she therein avowed and justified would bring upon the kingdom; and requiring their direction with regard to the obedience due to an administration so unjust and oppressive, they submitted to their decision a question, one of the most delicate and interesting that can possibly fall under the consideration of subjects.

This assembly proceeded to decide with no less dispatch than unanimity. Strangers to those forms which protract business; unacquainted with the arts which make a figure in debate; and much more fitted for action than discourse; a warlike people always hasten to a conclusion, and bring their deliberations to the shortest issue. It was the work but of one day, to examine and to resolve this nice problem, concerning the behaviour of subjects towards a ruler who abuses his power. But however abrupt their proceedings may appear, they were not destitute of solemnity. As the determination of the point in doubt was conceived to be no less the office of divines than of laymen, the former were called to assist with their opinion. Knox and Willox appeared for the whole order, and pronounced, without hesitation, both from the precepts and examples in scripture, that it was lawful for subjects not only to resist tyrannical princes, but to deprive them of that authority, which, in their hands, becomes an instrument for destroying those whom the Almighty ordained them to protect. The decision of persons revered so highly for their sacred character, but more for their zeal and their piety, had great weight with the whole assembly. Not satisfied with the common indiscriminate manner of signifying consent, every person present was called in

his turn to declare his sentiments, and rising up in order, all gave their suffrages, without one dissenting voice, for depriving the queen of the office of regent, which she had exercised so much to the detriment of the kingdom*.

This extraordinary sentence was owing no less to the love of liberty, than to zeal for religion. In the act of deprivation, religious grievances are slightly mentioned; and the dangerous encroachments of the queen upon the civil constitution are produced, by the lords of the congregation, in order to prove their conduct to have been not only just but necessary. The introducing foreign troops into a kingdom at peace with all the world; the seizing and fortifying towns in different parts of the country; the promoting strangers to offices of great power and dignity; the debasing the current coin†; the subverting the ancient laws; the imposing of new and burdensome taxes; and the attempting to subdue the kingdom, and to oppress its liberties, by open and repeated acts of violence, are enumerated at great length, and placed in the strongest light. On all these accounts the congregation maintained, that the nobles, as counsellors by birth-right to their monarchs, and the guardians and defenders of the constitution, had a right to interpose; and therefore, by virtue of this right, in the name of the king and queen, and with many expressions of duty and submission towards them, they deprived the queen regent of her office, and ordained that, for the fu-

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* Knox, 184.

† The standard of money in Scotland was continually varying. In the 16th of James V. A. D. 1529, a pound weight of gold, when coined, produced 108 pounds of current money. But under the queen regent's administration, A. D. 1556, a pound weight of gold, although the quantity of alloy was considerably increased, produced 144l. current money. In 1529, a pound weight of silver, when coined, produced 9l. 2s.; but in 1556, it produced 13l. current money, Ruddiman, Præfat. ad Anders. Diplomat. Scotiæ, p. 80, 81, from which it appears, that this complaint, which the male-

ture, no obedience ſhould be given to her commands‡.

Violent as the action may appear, there wanted not principles in the conſtitution, nor precedents in the hiſtory of Scotland, to juſtify and to authoriſe it. Under the ariſtocratical form of government eſtabliſhed among the Scots, the power of the ſovereign was extremely limited. The more conſiderable nobles were themſelves petty princes, poſſeſſing extenſive juriſdictions, almoſt independent of the crown, and followed by numerous vaſſals, who, in every conteſt, eſpouſed their chieftain's quarrel, in oppoſition to the king. Hence the many inſtances of the impotence of regal authority which are to be found in the Scottiſh hiſtory. In every age, the nobles not only claimed, but exerciſed, the right of controlling the king. Jealous of their privileges, and ever eager to take the field in defence of them, every error in adminiſtration was obſerved, every encroachment upon the rights of the ariſtocracy excited indignation, and no prince ever ventured to tranſgreſs the boundaries which the law had preſcribed to prerogative, without meeting reſiſtance, which ſhook or overturned his throne. Encouraged by the ſpirit of the conſtitution, and countenanced by the example of their anceſtors, the lords of the congregation thought it incumbent on them, at this juncture, to inquire into the mal-adminiſtration of the queen regent, and to preſerve their country from being enſlaved or conquered, by depriving her of the power to execute ſuch a pernicious ſcheme.

The act of deprivation, and a letter from the lords of the congregation to the queen regent, are ſtill ex-

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contents often repeated, was not altogether deſtitute of foundation.

‡ M. Caſtlenau, after condemning the dangerous councils of the princes of Lorrain, with regard to the affairs of Scotland, acknowledges with his uſual candour, that the Scots declared war againſt the queen regent, rather from a deſire of vindicating their civil liberties, than from any motive of religion. Mem. 446.

tant †. They diſcover not only that maſculine and undaunted ſpirit, natural to men capable of ſo bold a reſolution, but are remarkable for a preciſion and vigour of expreſſion, which we are ſurpriſed to meet with in an age ſo unpoliſhed. The ſame obſervation may be made with reſpect to the other public papers of that period. The ignorance or bad taſte of an age may render the compoſitions of authors by profeſſion obſcure, or affected, or abſurd; but the language of buſineſs is nearly the ſame at all times; and wherever men think clearly, and are thoroughly intereſted, they expreſs themſelves with perſpicuity and force.

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† Knox, 184.

THE HISTORY OF SCOTLAND.

BOOK THIRD.

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THE lords of the congregation soon found that their zeal had engaged them in an undertaking which it was beyond their utmost ability to accomplish. The French garrison, despising their numerous but irregular forces, refused to surrender Leith, and to depart out of the kingdom; nor were they sufficiently skilful in the art of war to reduce the place by force, or possessed of the artillery or magazines requisite for that purpose; and their followers, though of undaunted courage, yet being accustomed to decide every quarrel by a battle, were strangers to the fatigues of a long campaign, and soon became impatient of the severe and constant duty

which a siege requires. The queen's emissaries, who found it easy to mingle with her countrymen, were at the utmost pains to heighten their disgust, which discovered itself at first in murmurs and complaints, but, on occasion of the want of money for paying the army, broke out into open mutiny. The most eminent leaders were hardly secure from the unbridled insolence of the soldiers; while some of inferior rank, interposing too rashly in order to quell them, were torn in pieces by their rage. Discord, consternation, and perplexity, reigned in the camp of the reformers. The duke, their general, sunk, with his usual timidity, under the terror of approaching danger, and discovered manifest symptoms of repentance for his rashness in espousing such a desperate cause.

In this situation of their affairs, the congregation had recourse to Elizabeth, from whose protection they could derive their only reasonable hope of success. Some of their more sagacious leaders, having foreseen that the party might probably be involved in great difficulties, had endeavoured to secure a resource in any such exigency, by entering into a secret correspondence with the court of England*. Elizabeth, aware of the dangerous designs which the princes of Lorrain had formed against her crown, was early sensible of how much importance it would be, not only to check the progress of the French in Scotland, but to extend her own influence in that kingdom†; and perceiving how effectually the present insurrections would contribute to retard or defeat the schemes formed against England, she listened with pleasure to these applications of the malecontents, and gave them private assurances of powerful support to their cause. Randolph‡, an agent extremely proper for conducting any dark intrigue, was despatched into Scotland, and residing secretly among

* Burn. Hist. Ref. 3. Append. 278. Keith, Append. 21.

† See Append. No. I. ‡ Keith, Append. 29.

the lords of the congregation, observed and quickened their motions. Money seemed to be the only thing they wanted at that time; and it was owing to a seasonable remittance from England*, that the Scottish nobles had been enabled to take the field, and to advance towards Leith. But as Elizabeth was distrustful of the Scots, and studious to preserve appearances with France, her subsidies were bestowed at first with extreme frugality. The subsistence of an army, and the expences of a siege, soon exhausted this penurious supply, to which the lords of the congregation could make little addition from their own funds; and the ruin and dispersion of the party must have instantly followed.

In order to prevent this, Cockburn, of Ormistoun, was sent with the utmost expedition to the governors of the town and castle of Berwick. As Berwick was at that time the town of greatest importance on the Scottish frontier, Sir Ralph Sadler and Sir James Crofts, persons of considerable figure, were employed to command there, and were entrusted with a discretionary power of supplying the Scottish malecontents, according to the exigency of their affairs. From them Cockburn received four thousand crowns, but little to the advantage of his party. The earl of Bothwell, by the queen's instigation, lay in wait for him on his return, dispersed his followers, wounded him, and carried off the money.

This unexpected disappointment proved fatal to the party. In mere despair, some of the more zealous attempted to assault Leith; but the French beat them back with disgrace, seized their cannon, and pursuing them to the gates of Edinburgh, were on the point of entering along with them. All the terror and confusion which the prospect of pillage or of massacre can excite in a place taken by storm, filled the city on this occasion. The inhabitants fled from the enemy by the opposite gate; the forces of the congregation were irresolute and dismayed; and the queen's partisans in th

* Knox, 214. Keith, Append. 44.

town openly insulted both. At last, a few of the nobles ventured to face the enemy, who, after plundering some houses in the suburbs, retired with their booty, and delivered the city from this dreadful alarm.

A second skirmish, which happened a few days after, was no less unfortunate. The French sent out a detachment to intercept a convoy of provisions which was designed for Edinburgh. The lords of the congregation, having intelligence of this, marched in all haste with a considerable body of their troops, and falling upon the enemy between Restalrig and Leith, with more gallantry than good conduct, were almost surrounded by a second party of French, who advanced in order to support their own men. In this situation a retreat was the only thing that could save the Scots; but a retreat over marshy ground, and in the face of an enemy superior in number, could not long be conducted with order. A small body of the enemy hung upon their rear, horse and foot fell into the utmost confusion, and it was entirely owing to the caution of the French, that any of the party escaped being cut in pieces.

On this second blow, the hopes and spirits of the congregation sunk altogether. They did not think themselves secure even within the walls of Edinburgh, but instantly determined to retire to some place at a greater distance from the enemy. In vain did the prior of St Andrews, and a few others, oppose this cowardly and ignominious flight. The dread of the present danger prevailed over both the sense of honour and zeal for the cause. At midnight they set out from Edinburgh in great confusion, and marched without halting till they arrived at Stirling.

During this last insurrection, the great body of the Scottish nobles joined the congregation. The lords Seton and Borthwick were the only persons of rank who took arms for the queen, and assisted her in defending Leith*. Bothwell openly favoured her cause,

* Keith, Append. 31.

but resided at his own house. The earl of Huntly, conformable to the crafty policy which distinguishes his character, amused the leaders of the congregation, whom he had engaged to assist, with many fair promises, but never joined them with a single man*. The earl of Morton, a member of the congregation, fluctuated in a state of irresolution, and did not act heartily for the common cause. Lord Erskine, governor of Edinburgh castle, though a protestant, maintained a neutrality, which he deemed becoming the dignity of his office; and having been entrusted by parliament with the command of the principal fortress in the kingdom, he resolved that neither faction should get it into their hands.

A few days before the retreat of the congregation, the queen suffered an irreparable loss, by the defection of her principal secretary, William Maitland, of Lethington. His zeal for the reformed religion, together with his warm remonstrances against the violent measures which the queen was carrying on, exposed him so much to her resentment, and to that of her French counsellors, that he, suspecting his life to be in danger, withdrew secretly from Leith and fled to the lords of the congregation†; and they with open arms received a convert, whose abilities added both strength and reputation to their cause. Maitland had early applied to public business admirable natural talents, improved by an acquaintance with the liberal arts; and at a time of life when his countrymen of the same quality were following the pleasures of the chace, or serving as adventurers in the armies of France, he was admitted into all the secrets of the cabinet, and put upon a level with persons of the most consummate experience in the management of affairs. He possessed, in an eminent degree, that intrepid spirit which delights in pursuing bold designs, and was no less master of that political art and dexterity which is

* Keith, Append. 31. Knox, 222.
† Knox, 192.

neceſſary for carrying them on with ſucceſs. But theſe qualities were deeply tinctured with the neighbouring vices. His addreſs ſometimes degenerated into cunning; his acuteneſs bordered upon exceſs; his invention, over-fertile, ſuggeſted to him, on ſome occaſions, chimerical ſyſtems of policy, little ſuitable to the genius of the age, and his enterpriſing ſpirit engaged him in projects vaſt and ſplendid, but beyond his utmoſt power to execute. All the contemporary writers, to whatever faction they belong, mention him with an admiration which nothing could have excited but the greateſt ſuperiority of penetration and abilities.

The precipitate retreat of the congregation increaſed to ſuch a degree the terror and confuſion which had ſeized them at Edinburgh, that, before they reached Stirling, their army dwindled to an inconſiderable number. The ſpirit of Knox, however, ſtill remained undaunted and erect, and having mounted the pulpit, he addreſſed, to his deſponding hearers an exhortation which wonderfully animated and revived them. The heads of this diſcourſe are inſerted in his hiſtory †, and afford a ſtriking example of the boldneſs and freedom of reproof aſſumed by the firſt reformers, as well as a ſpecimen of his own ſkill in chooſing the topics moſt fitted to influence and rouſe his audience.

A meeting of the leaders being called, to conſider what courſe they ſhould hold, now that their own reſources were all exhauſted, and their deſtruction appeared to be unavoidable without foreign aid, they turned their eyes once more to England, and reſolved to implore the aſſiſtance of Elizabeth towards finiſhing an enterpriſe, in which they had ſo fatally experienced their own weakneſs, and the ſtrength of their adverſaries. Maitland, as the moſt able negociator of the party was employed, in this embaſſy. In his abſence, and during the inactive ſeaſon of the year, it was agreed to diſmiſs their followers, worn out by the fatigues of

† Knox, 193.

a campaign which had ſo far exceeded the time of ſervice. But, in order to preſerve the counties moſt devoted to their intereſt, the prior of St. Andrews, with part of the leaders, retired into Fife. The duke of Chatelherault, with the reſt, fixed his reſidence at Hamilton. There was little need of Maitland's addreſs or eloquence to induce Elizabeth to take his country under her protection. She obſerved the prevalence of the French counſels, and the progreſs of their arms in Scotland, with great concern; and as ſhe well foreſaw the dangerous tendency of their ſchemes in that kingdom, ſhe had already come to a reſolution with regard to the part ſhe herſelf would act, if their power there ſhould grow ſtill more formidable.

In order to give the queen and her privy council a full and diſtinct view of any important matter which might come before them, it ſeems to have been the practice of Elizabeth's miniſters to prepare memorials, in which they clearly ſtated the point under deliberation, laid down the grounds of the conduct which they held to be moſt reaſonable, and propoſed a method for carrying their plan into execution. Two papers of this kind, written by Sir William Cecil with his own hand, ſtill remain, which were ſubmitted by the queen to the deliberation of her privy council; they are entitled, "A ſhort diſcuſſion of the weighty matter of Scotland," and do honour to the induſtry and penetration of that great miniſter. The motives which determined the queen to eſpouſe ſo warmly the defence of the congregation are repreſented with perſpicuity and force; and the conſequences of ſuffering the French to eſtabliſh themſelves in Scotland, are predicted with great accuracy and diſcernment*.

He lays it down as a principle, agreeable to the laws both of God and of nature, that every ſociety hath a right to defend itſelf, not only from preſent dangers, but from ſuch as may probably enſue, to which he adds; that nature and reaſon teach every prince to defend

* Burn. vol. iii. Append. 283. Keith, Append. 24.

himſelf by the ſame means which his adverſaries employ to diſtreſs him. Upon theſe grounds he eſtabliſhes the right of England to interpoſe in the affairs of Scotland, and to prevent the conqueſt of that kingdom, at which the French openly aimed. The French, he obſerves, are the ancient and implacable enemies of England. Hoſtilities had ſubſiſted between the two nations for many centuries. No treaty of peace into which they entered had ever been cordial or ſincere. No good effect was therefore to be expected from the peace lately agreed upon, which, being extorted by preſent neceſſity, would be negligently obſerved, and broken on the ſlighteſt pretences. In a very ſhort time France would recover its former opulence; and, though now drained of men and money by a tedious and unſucceſsful war, it would quickly be in a condition for acting, and the reſtleſs and martial genius of the people would render action neceſſary. The princes of Lorrain, who at that time had the entire direction of French affairs, were animated with the moſt virulent hatred againſt the Engliſh nation They openly called in queſtion the legitimacy of the queen's birth, and by advancing the title and pretenſions of their niece the queen of Scotland, ſtudied to deprive Elizabeth of her crown. With this view, they had laboured to exclude the Engliſh from the treaty of Chateau en Cambreſis, and endeavoured to conclude a ſeparate peace with Spain. They had perſuaded Henry II. to permit his daughter-in-law to aſſume the title and arms of queen of England; and even ſince the concluſion of the peace, they had ſolicited at Rome, and obtained a bull, declaring Elizabeth's birth to be illegitimate. Though the wiſdom and moderation of the Conſtable Montmorency had for ſome time checked their career, yet theſe reſtraints being now removed by the death of Henry II. and the diſgrace of his miniſter, the utmoſt exceſſes of violence were to be dreaded from their furious ambition, armed with ſovereign power. Scotland is the quarter whence they can attack England with moſt advantage. A war upon the borders of that

country expoſes France to no danger, but one unſucceſsful action there may hazard the crown, and overturn the government, of England. In political conduct, it is childiſh to wait till the deſigns of an enemy be ripe for execution. The Scottiſh nobles, after their utmoſt efforts, have been obliged to quit the field; and far from expelling the invaders of their liberties, they behold the French power daily increaſing, and muſt at laſt ceaſe from ſtruggling any longer in a conteſt ſo unequal. The invading of England will immediately follow the reduction of the Scottiſh malecontents, by the abandoning of whom to the mercy of the French, Elizabeth will open a way for her enemies into the heart of her own kingdom, and expoſe it to the calamities of war, and the danger of conqueſt. Nothing therefore remained but to meet the enemy while yet at a diſtance from England, and by ſupporting the congregation with a powerful army, to render Scotland the theatre of the war, to cruſh the deſigns of the princes of Lorrain in their infancy, and, by ſuch an early and unexpected effort, to expel the French out of Britain, before their power had time to take root and grow up to any formidable height. But as the matter was of as much importance as any which could fall under the conſideration of an Engliſh monarch, wiſdom and mature counſel were neceſſary, in the firſt place, and afterwards vigour and expedition in conduct; the danger was urgent, and, by loſing a ſingle moment, might become unavoidable *.

Theſe arguments produced their full effect upon Elizabeth, who was jealous, in an extreme degree, of every pretender to her crown, and no leſs anxious to preſerve the tranquillity and happineſs of her ſubjects. From theſe motives ſhe had acted, in granting the congregation an early ſupply of money; and from the

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* The arguments which the Scots employed, in order to obtain Elizabeth's aſſiſtance, are urged with great force in a paper of Maitland's. See Append. No. II.

ſame principles ſhe determined, in their preſent exigency, to afford them more effectual aid. One of Maitland's attendants was inſtantly deſpatched into Scotland with the ſtrongeſt aſſurances of her protection, and the lords of the congregation were deſired to ſend commiſſioners into England to conclude a treaty, and to ſettle the operations of the campaign with the duke of Norfolk†.

Mean while, the queen regent, from whom no motion of the congregation could long be concealed, dreaded the ſucceſs of this negotiation with the court of England, and foreſaw how little ſhe would be able to reſiſt the united efforts of the two kingdoms. For this reaſon ſhe determined, if poſſible, to get the ſtart of Elizabeth; and by venturing, notwithſtanding the inclemency of the winter ſeaſon, to attack the malecontents in their preſent diſperſed and helpleſs ſituation, ſhe hoped to put an end to the war before the arrival of their Engliſh allies.

A conſiderable body of her French forces, who were augmented about this time by the arrival of the Count de Martigues with a thouſand veteran foot and ſome cavalry, were commanded to march to Stirling. Having there croſſed the Forth, they proceeded along the coaſt of Fife, deſtroying and plundering, with exceſſive outrage, the houſes and lands of thoſe whom they deemed their enemies. Fife was the moſt populous and powerful county in the kingdom, and moſt devoted to the congregation, who had hitherto drawn from thence the moſt conſiderable ſupplies, both of men and proviſions; and therefore beſides puniſhing the diſaffection of the inhabitants, by pillaging the country, the French propoſed to ſeize and fortify St. Andrews, and to leave in it a garriſon ſufficient to bridle the mutinous ſpirit of the province, and to keep poſſeſſion of a port ſituated on the main ocean.

But on this occaſion, the prior of St. Andrews,

† Keith, 114.

lord Ruthven, Kirkaldy of Grange, and a few of the most active leaders of the congregation, performed, by their bravery and good conduct, a service of the utmost importance to their party. Having assembled six hundred horse, they infested the French with continual incursions, beat up their quarters, intercepted their convoys of provisions, cut off their straggling parties, and so harassed them with perpetual alarms, that they prevented them for more than three weeks from advancing *.

At last the prior, with his feeble party, was constrained to retire, and the French set out from Kirkaldy, and began to move along the coast towards St. Andrews. They had advanced but a few miles, when, from an eminence, they descried a powerful fleet steering its course up the frith of Forth. As they knew that the marquis D'Elbeuf was at that time preparing to sail to Scotland with a numerous army, they hastily concluded that these ships belonged to him, and gave way to the most immoderate transports of joy, on the prospect of this long-expected succour. Their great guns were already fired to welcome their friends, and to spread the tidings and terror of their arrival among their enemies, when a small boat from the opposite coast landed, and blasted their premature and short-lived triumph, by informing them, that it was the fleet of England which was in sight, intended for the aid of the congregation, and was soon to be followed by a formidable land army †.

Throughout her whole reign Elizabeth was cautious, but decisive; and by her promptitude in executing her resolutions, joined to the deliberation with which she formed them, her administration became remarkable, no less for its vigour, than for its wisdom. No sooner did she determine to afford her protection to the lords of the congregation, than they experienced the activity, as well as the extent of her power. The season of the year would not permit her land army to take the field;

* Knox, 202. † Ibid. 203.

but lest the French should, in the mean time, receive new reinforcements, she instantly ordered a strong squadron to cruize in the frith of Forth. She seems, by her instructions to Winter her admiral, to have been desirous of preserving the appearances of friendship towards the French *. But these were only appearances; if any French fleet should attempt to land, he was commanded to prevent it, by every act of hostility and violence. It was the sight of this squadron which occasioned at first so much joy among the French, but which soon inspired them with such terror, as saved Fife from the effects of their vengeance. Apprehensive of being cut off from their companions on the opposite shore, they retreated towards Stirling with the utmost precipitation, and in a dreadful season, and through roads almost impassable, arrived at Leith, harassed and exhausted with fatigue †.

The English fleet cast anchor in the road of Leith, and continuing in that station till the conclusion of peace, both prevented the garrison of Leith from receiving succours of any kind, and considerably facilitated the operations of their own forces by land.

Soon after the arrival of the English squadron, the commissioners of the congregation repaired to Berwick, and concluded with the duke of Norfolk a treaty, the bond of that union with Elizabeth which was of so great advantage to the cause. To give a check to the dangerous and rapid progress of the French arms in Scotland, was the professed design of the contracting parties. In order to this, the Scots engaged never to suffer any closer union of their country with France; and to defend themselves to the uttermost against all attempts of conquest. And for their assistance Elizabeth promised to employ in Scotland a powerful army, which the Scots undertook to join with all their forces; no place in Scotland was to remain in the hands of the English; whatever should be taken from the enemy was either to be razed, or kept by the Scots, at their

* Keith, Append. 45. † Knox, 203.

choice; if any invasion should be made upon England, the Scots were obliged to assist Elizabeth with part of their forces; and to ascertain their faithful observance of the treaty, they bound themselves to deliver hostages to Elizabeth before the march of her army into Scotland; in conclusion, the Scots made many protestations of obedience and loyalty towards their own queen, in every thing not inconsistent with their religion, and the liberties of their country *.

The English army, consisting of six thousand foot and two thousand horse, under the command of lord Gray of Wilton, entered Scotland early in the spring. The members of the congregation assembled from all parts of the kingdom to meet their new allies; and having joined them, with great multitudes of their followers, they advanced together towards Leith. The French were little able to keep the field against an enemy so much superior in number. A strong body of troops, destined for their relief, had lately been scattered by a violent storm, and had either perished on the coast of France, or with difficulty had recovered the ports of that kingdom †. But they hoped to be able to defend Leith till the princes of Lorrain should make good the magnificent promises of assistance with which they daily fed them, or till scarcity of provisions should constrain the English to retire into their own country. In order to hasten this latter event, they did not neglect the usual, though barbarous precaution, for distressing an invading enemy, by burning and laying waste all the adjacent country ‡. The zeal, however, of the nation frustrated their intentions; eager to contribute towards removing their oppressors, the people produced their hidden stores to support their friends; the neighbouring countries supplied every thing necessary; and far from wanting subsistence, the English found in their camp all sorts of provisions at

* Knox, 217. † Mem. de Castel. 450.
‡ Knox, 225.

a cheaper rate than had for some time been known in that part of the kingdom §.

On the approach of the English army, the queen regent retired into the castle of Edinburgh. Her health was now in a declining state, and her mind broken and depressed by the misfortunes of her administration. To avoid the danger and fatigue of a siege, she committed herself to the protection of lord Erskine. This nobleman still preserved his neutrality, and by his integrity, and love of his country, merited equally the esteem of both parties. He received the queen herself with the utmost honour and respect, but took care to admit no such retinue as might endanger his command of the castle ‖.

A few days after they arrived in Scotland, the English invested Leith. The garrison shut up within the town was almost half as numerous as the army which sat down before it, and by an obstinate defence protracted the siege to a great length. The circumstances of this siege, related by contemporary historians, men without knowledge or experience in the art of war, are often obscure and imperfect, and at this distance of time are not considerable enough to be entertaining.

At first the French endeavoured to keep possession of the Hawk Hill, a rising ground not far distant from the town, but were beat from it with great slaughter, chiefly by the furious attack of the Scottish cavalry. Within a few days the French had their full revenge; having sallied out with a strong body, they entered the English trenches, broke their troops, nailed part of their cannon, and killed at least double the number themselves had lost in the former skirmish. Nor were the English more fortunate in an attempt which they made to take the place by assault; they were met with equal courage, and repulsed with considerable loss. From the detail of these circumstances by the writers of that age, it is easy to observe the different characters of the French

§ Knox, 225.

‖ Forbes's Collect. vol. i. 503. Keith, 122.

and English troops. The former, trained to war under the active reigns of Francis I. and Henry II. defended themselves not only with the bravery but with the skill of veterans. The latter, who had been more accustomed to peace, still preserved the intrepid and desperate valour peculiar to the nation, but discovered few marks of military genius, or of experience in the practice of war. Every misfortune or disappointment during the siege must be imputed to manifest errors in conduct. The success of the besieged in their sally was owing entirely to the security and negligence of the English; many of their officers were absent; their soldiers had left their stations; and the trenches were almost without a guard. The ladders, which had been provided for the assault, wanted a great deal of the necessary length; and the troops employed in that service were ill supported. The trenches were opened at first in an improper place; and as it was found expedient to change the ground, both time and labour were lost. The weakness of their own generals, no less than the strength of the French garrison, rendered the progress of the English wonderfully slow. The length, however, of the siege, and the loss of part of their magazines by an accidental fire, reduced the French to extreme distress, which the prospect of relief made them bear with admirable fortitude.

While the hopes and courage of the French protracted the siege so far beyond expectation, the Scottish malecontents were not idle. By new associations and confederacies, they laboured more perfectly to unite their party. By publicly ratifying the treaty concluded at Berwick, they endeavoured to render the alliance with England firm and indissoluble. Among the subscribers of these papers we find the earl of Huntly, and some others, who had not hitherto concurred with the congregation in any of their measures †. Several of these lords, particularly the earl of Huntly, still adhered to the popish church; but, on this occasion, neither their religious

† Burn. vol. iii. 287. Knox, 221.

ſentiments, nor their former cautious maxims, were regarded; the torrent of national reſentment and indignation againſt the French hurried them on‡.

The queen regent, the inſtrument, rather than the cauſe, of involving Scotland in thoſe calamities under which it groaned at that time, died during the heat of the ſiege. No princeſs ever poſſeſſed qualities more capable of rendering her adminiſtration illuſtrious, or her people happy. Of much diſcernment, and no leſs addreſs; of great intrepidity, and equal prudence; gentle and humane, without weakneſs; zealous for her religion, without bigotry; a lover of juſtice, without rigour. One circumſtance, however, and that too the exceſs of a virtue, rather than any vice, poiſoned all theſe great qualities, and rendered her government unfortunate and her name odious. Devoted to the intereſt of France, her native country, and attached to the princes of Lorrain, her brothers, with moſt paſſionate fondneſs; ſhe departed, in order to gratify them, from every maxim which her own wiſdom or humanity would have approved. She outlived, in a great meaſure, that reputation and popularity which had ſmoothed her way to the higheſt ſtation in the kingdom; and many examples of falſehood, and ſome of ſeverity, in the latter part of her adminiſtration, totally alienated from her the affections of a people who had once placed in her an un-

‡ The dread of the French power did on many occaſions ſurmount the zeal which the catholic nobles had for their religion. Beſides the preſumptive evidence for this, ariſing from the memorial mentioned by Burnet, Hiſt. of the Reformation, vol. iii. 281. and publiſhed by him, p. 278; the inſtructions of Elizabeth to Randolph her agent, put it beyond all doubt, that many zealous papiſts thought the alliance with England to be neceſſary for preſerving the liberty and independence of the kingdom. Keith, 158. Huntly himſelf began a correſpondence with Elizabeth's miniſters, before the march of the Engliſh army into Scotland. Haynes's State Papers, 261, 263. See Append. No. III.

bounded confidence. But even by her enemies these unjustifiable actions were imputed to the facility, not to the malignity, of her nature; and, while they taxed her brothers and French counsellors with rashness and cruelty, they still allowed her the praise of prudence and lenity *. A few days before her death, she desired an interview with the prior of St. Andrews, the earl of Argyle, and other chiefs of the congregation. To them she lamented the fatal issue of those violent councils which she had been obliged to follow; and, with the candour natural to a generous mind, confessed the errors of her own administration, and begged forgiveness of those to whom they had been hurtful; but at the same time she warned them, amidst their struggles for liberty and the shock of arms, not to lose sight of the loyalty and subjection which was due to their sovereign †. The remainder of her time she employed in religious meditations and exercises. She even invited the attendance of Willox, one of the most eminent among the reformed preachers, listened to his instructions with reverence and attention ‡, and prepared for the approach of death with a decent fortitude.

Nothing could now save the French troops shut up in Leith, but the immediate conclusion of a peace, or the arrival of a powerful army from the continent. The princes of Lorrain amused their party in Scotland with continual expectations of the latter, and had thereby kept alive their hopes and their courage; but at last, the situation of France, rather than the terror of the English arms, or the remonstrances of the Scottish malecontents, constrained them, though with reluctance, to turn their thoughts towards pacific councils. The protestants in France were at that time a party formidable by their number, and more by the valour and enterprising genius of their leaders. Francis II. had treated them with extreme rigour, and discovered, by every step he took, a settled resolution to extirpate their reli-

* Buchan. 324. † Lesly, de Rebus Gest. Scot. 222.
‡ Knox, 228.

gion, and to ruin those who professed it. At the prospect of this danger to themselves and to their cause, the protestants were alarmed, but not terrified. Animated with zeal, and inflamed with resentment, they not only prepared for their own defence, but resolved, by some bold action, to anticipate the schemes of their enemies; and, as the princes of Lorrain were esteemed the authors of all the king's violent measures, they marked them out to be the first victims of their indignation. Hence, and not from any disloyalty to the king, proceeded the famous conspiracy of Amboise; and though the vigilance and good fortune of the princes of Lorrain discovered and disappointed that design, it was easy to observe new storms gathering in every province of the kingdom, and ready to burst out with all the fury and outrage of civil war. In this situation, the ambition of the house of Lorrain was called off from the thoughts of foreign conquests, to defend the honour and dignity of the French crown, and instead of sending new reinforcements into Scotland, it became necessary to withdraw the veteran troops already employed in that kingdom *.

In order to conduct an affair of so much importance and delicacy, the princes of Lorrain made choice of Monluc bishop of Valence, and of the sieur de Randan. As both these, especially the former, were reckoned inferior to no persons of that age in address and political refinement, Elizabeth opposed to them ambassadors of equal abilities; Cecil her prime minister, a man perhaps of the greatest capacity who had ever held that office; and Wotton dean of Canterbury, grown old in the art of negotiating under three successive monarchs. The interests of the French and English courts were soon adjusted by men of so great dexterity in business; and as France easily consented to withdraw those forces which had been the chief occasion of the war, the other points in dispute between that kingdom and England were not matters of tedious or of difficult discussion.

* Lesly, 224.

The grievances of the congregation, and their demands upon their own sovereigns for redrefs, employed longer time, and required to be treated with a more delicate hand. After fo many open attempts, carried on by command of the king and queen, in order to overturn the ancient conftitution, and to fupprefs the religion which they had embraced, the Scottifh nobles could not think themfelves fecure, without fixing fome new barrier againft the future encroachments of regal power. But the legal fteps towards accomplifhing this were not fo obvious. The French ambaffadors confidered the entering into any treaty with fubjects, and with rebels, as a condefcenfion unfuitable to the dignity of a fovereign; and their fcruples on this head might have put an end to the treaty, if the impatience of both parties for peace had not fuggefted an expedient, which feemed to provide for the fecurity of the fubject, without derogating from the honour of the prince. The Scottifh nobles agreed, on this occafion, to pafs from the point of right and privilege, and to accept the redrefs of their grievances as a matter of favour. Whatever additional fecurity their anxiety for perfonal fafety, or their zeal for public liberty, prompted them to demand, was granted in the name of Francis and Mary, as acts of their royal favour and indulgence. And left conceffions of this kind fhould feem precarious, and liable to be retracted by the fame power which had made them, the French ambaffador agreed to infert them in the treaty with Elizabeth, and thereby to bind the king and queen inviolably to obferve them *.

In relating this tranfaction, contemporary hiftorians have confounded the conceffions of Francis and Mary to their Scottifh fubjects, with the treaty between France and England; the latter, befides the ratification of former treaties between the two kingdoms, and ftipulations with regard to the time and manner of removing both armies out of Scotland, contained an article to which, as the fource of many important events, we fhall often

* Keith, 134, &c.

have occasion to refer. The right of Elizabeth to her crown is thereby acknowledged in the strongest terms; and Francis and Mary solemnly engage neither to assume the title, nor to bear the arms of king and queen of England in any time to come‡.

Honourable as this article was for Elizabeth herself, the conditions she obtained for her allies the Scots were no less advantageous to them. Monluc and Randan consented, in the name of Francis and Mary, that the French forces in Scotland should instantly be sent back to their own country, and no foreign troops be hereafter introduced into the kingdom without the knowledge and consent of parliament; that the fortifications of Leith and Dunbar should immediately be razed, and no new fort be erected without the permission of parliament: that a parliament should be held on the first day of August, and that assembly be deemed as valid in all respects as if it had been called by the express commandment of the king and queen; that, conformable to the ancient laws and customs of the country, the king and queen should not declare war or conclude peace without the concurrence of parliament; that during the queen's absence, the administration of government should be vested in a council of twelve persons, to be chosen out of twenty four named by parliament, seven of which council to be elected by the queen, and five by the parliament; that hereafter the king and queen should not advance foreigners to places of trust or dignity in the kingdom, nor confer the offices of treasurer or comptroller of the revenues, upon any ecclesiastic; that an act of oblivion, abolishing the guilt and memory of all offences committed since the sixth of March one thousand five hundred and fifty-eight, should be passed in the ensuing parliament, and be ratified by the king and queen; that the king and queen should not, under the colour of punishing any violation of their authority during that period, seek to deprive any of their subjects of the offices, benefices, or estates which they now held; that the re-

‡ Keith, 134.

drefs due to churchmen, for the injuries which they had fuftained during the late infurrections, fhould be left entirely to the cognizance of parliament. With regard to religious controverfies, the ambaffadors declared that they would not prefume to decide, but permitted the parliament, at their firft meeting, to examine the points in difference, and to reprefent their fenfe of them to the king and queen*.

To fuch a memorable period did the lords of the congregation, by their courage and perfeverance, conduct an enterprize which at firft promifed a very different iffue. From beginnings extremely feeble, and even contemptible, the party grew by degrees to great power; and being favoured by many fortunate incidents, baffled all the efforts of their own queen, aided by the forces of a more confiderable kingdom. The whole fovereign authority was transferred by this treaty into the hand of the congregation; that limited prerogative, which the crown had hitherto poffeffed, was almoft entirely annihilated; and ariftocratical power, which always predominated in the Scottifh government, became fupreme and incontrolable. By this treaty too the influence of France, which had long been of much weight in the affairs of Scotland, was greatly diminifhed; and not only were the prefent encroachments of that ambitious ally reftrained, but, by confederating with England, protection was provided againft any future attempt from the fame quarter. At the fame time, the controverfies in religion being left to the confideration of parliament, the proteftants might reckon upon obtaining whatever decifion was moft favourable to the opinions which they profeffed.

A few days after the conclufion of the treaty, both the French and Englifh armies quitted Scotland.

The eyes of every man in that kingdom were turned towards the approaching parliament. A meeting, fummoned in a manner fo extraordinary, at fuch a critical juncture, and to deliberate upon matters of fo

* Keith, 137, &c.

much consequence, was expected with the utmost anxiety.

A Scottish parliament, suitable to the aristocratical genius of the government, was properly an assembly of the nobles. It was composed of bishops, abbots, barons, and a few commissioners of boroughs, who met all together in one house. The lesser barons, though possessed of a right to be present, either in person or by their representatives, seldom exercised it. The expence of attending, according to the fashion of the times, with a numerous train of vassals and dependents; the inattention of the nation to the regular details of government; but above all, the exorbitant authority of the greater nobles, who had drawn the whole power into their own hands, made this privilege of so little value, as to be almost neglected. It appears from the ancient rolls, that during times of tranquillity, few commissioners of boroughs, and almost none of the lesser barons, appeared in parliament. The ordinary administration of government was abandoned, without scruple or jealousy, to the king and to the nobles. But in extraordinary conjunctures, when the struggle for liberty was violent, and the spirit of opposition to the crown rose to an height, the burgesses and lesser barons were roused from their inactivity, and stood forth to vindicate the rights of their country. The turbulent reign of James III. affords examples in proof of this observation*. The public indignation against the rash designs of that weak and ill-advised prince brought into parliament, besides the nobles and prelates, a considerable number of the lesser barons.

The same causes occasioned the unusual confluence of all orders of men to the parliament, which met on the first of August. The universal passion for liberty, civil and religious, which had seized the nation, suffered few persons to remain unconcerned spectators of an assembly, whose acts were likely to prove decisive with respect to both. From all corners of the kingdom

* Keith, 147.

flocked in men, eager and determined to aid, with their voices in the ſenate, the ſame cauſes which they had defended with their ſwords in the field. Beſides a full convention of peers, temporal and ſpiritual, there appeared the repreſentatives of almoſt all the boroughs, and above an hundred barons, who, though of the leſſer order, were gentlemen of the higheſt rank and fortune in the nation*.

The parliament was ready to enter on buſineſs with the utmoſt zeal, when a difficulty was ſtarted concerning the lawfulneſs of the meeting. No commiſſioner appeared in the name of the king and queen, and no ſignification of their conſent and approbation was yet received. Theſe were deemed by many eſſential to the very being of a parliament. But, in oppoſition to this ſentiment, the expreſs words of the treaty of Edinburgh were urged, by which this aſſembly was declared to be as valid, in all reſpects, as if it had been called and appointed by the expreſs command of the king and queen. As the adherents of the congregation greatly outnumbered their adverſaries, the latter opinion prevailed. Their boldeſt leaders, and thoſe of moſt approved zeal, were choſen to be lords of the articles, who formed a committee of ancient uſe, and of great importance in the Scottiſh parliament†. The deliberations of the lords of the articles were carried on with the moſt unanimous and active zeal. The act of oblivion, the nomination of twenty-four perſons, out of whom the council, intruſted with ſupreme authority, was to be elected; and every other thing preſcribed by the late treaty, or which ſeemed neceſſary to render it effectual, paſſed without diſpute or delay. The article

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* Keith, 146.

† From an original letter of Hamilton, archbiſhop of St. Andrews, it appears, that the lords of articles were choſen in the manner afterwards appointed by an act of parliament, 1633. Keith, p. 487. Spottiſwood ſeems to conſider this to have been the common practice. Hiſt. 149.

of religion employed longer time, and was attended with greater difficulty. It was brought into parliament by a petition from those who adopted the principles of the Reformation. Many doctrines of the popish church were a contradiction to reason, and a disgrace to religion; its discipline had become corrupt and oppressive; and its revenues were both exorbitant and ill-applied. Against all these, the protestants remonstrated with the utmost asperity of style, which indignation at their absurdity, or experience of their pernicious tendency, could inspire; and encouraged, by the number as well as zeal of their friends, to improve such a favourable juncture, they aimed the blow at the whole fabric of popery; and besought the parliament to interpose its authority for rectifying these multiplied abuses†.

Several prelates, zealously attached to the ancient superstition, were present in this parliament. But during these vigorous proceedings of the protestants, they stood confounded and at a gaze; and persevered in a silence which was fatal to their cause. They considered it impossible to resist or divert that torrent of religious zeal, which was still in its full strength; they dreaded that their opposition would irritate their adversaries, and excite them to new acts of violence: they hoped that the king and queen would soon be at leisure to put a stop to the career of their insolent subjects, and that, after the rage and havoc of the present storm, the former tranquillity and order would be restored to the church and kingdom. They were willing, perhaps, to sacrifice the doctrine, and even the power of the church, in order to ensure the safety of their own persons, and to preserve the possession of those revenues which were still in their hands. From whatever motives they acted, their silence, which was imputed to the consciousness of a bad cause, afforded matter of great triumph to the protestants, and encouraged them to proceed with more boldness and alacrity*.

† Knox, 237. * Ib. 253.

The parliament did not think it enough to condemn thoſe doctrines mentioned in the petition of the proteſtants; they moreover gave the ſanction of their approbation to a Confeſſion of Faith, preſented to them by the reformed teachers*; and compoſed, as might be expected from ſuch a performance at that juncture, on purpoſe to expoſe the abſurd tenets and practices of the Romiſh church. By another act, the juriſdiction of the eccleſiaſtical courts was aboliſhed, and the cauſes which formerly came under their cognizance were transferred to the deciſion of civil judges†. By a third ſtatute, the exerciſe of religious worſhip, according to the rites of the Romiſh church, was prohibited. The manner in which the parliament enforced the obſervation of this law diſcovers the zeal of that aſſembly; the firſt tranſgreſſion ſubjected the offender to the forfeiture of his goods, and to a corporal puniſhment, at the diſcretion of the judge; baniſhment was the penalty of a ſecond violation of the law; and a third act of diſobedience was declared to be capital‡. Such ſtrangers were men at that time to the ſpirit of toleration, and to the laws of humanity; and with ſuch indecent haſte did the very perſons who had juſt eſcaped the rigour of eccleſiaſtical tyranny proceed to imitate thoſe examples of ſeverity of which they themſelves had ſo juſtly complained.

The vigorous zeal of the parliament overturned in a few days the ancient ſyſtem of religion which had been eſtabliſhed ſo many ages. In reforming the doctrine and diſcipline of the church, the nobles kept pace with the ardour and expectations even of Knox himſelf. But their proceedings, with reſpect to theſe, were not more rapid and impetuous, than they were ſlow and dilatory, when they entered on the conſideration of eccleſiaſtical revenues. Among the lay members, ſome were already enriched with the ſpoils of the church, and others devoured in expectation the wealthy benefices which ſtill remained untouched. The alteration

* Knox, 256. † Keith, 152. ‡ Knox, 254.

in religion had afforded many of the dignified ecclesiastics themselves an opportunity of gratifying their avarice or ambition. The demolition of the monasteries having set the monks at liberty from their confinement, they instantly dispersed all over the kingdom, and commonly betook themselves to some secular enjoyment. The abbot, if he had been so fortunate as to embrace the principles of the Reformation from conviction, or so cunning as to espouse them out of policy, seized the whole revenues of the fraternity, and, except what he allowed for the subsistence of a few superannuated monks*, applied them entirely to his own use. The proposal made by the reformed teachers, for applying these revenues towards the maintenance of ministers, the education of youth, and the support of the poor, was equally dreaded by all these orders of men. They opposed it with the utmost warmth, and by their numbers and authority easily prevailed on the parliament to give no ear to such a disagreeable demand†. Zealous as the first reformers were, and animated with a spirit superior to the low considerations of interest, they beheld these early symptoms of selfishness and avarice among their adherents with indignation; and we find Knox expressing the utmost sensibility of that contempt with which they were treated by many from whom he expected a more generous concern for the success of religion and the honour of its ministers‡.

A difficulty hath been started with regard to the acts of this parliament concerning religion. This difficulty, frivolous in itself, and at this distance of time of no importance, is founded on the words of the treaty of Edinburgh. By that, the parliament was permitted to take into review the state of religion, and to signify their sentiments of it to the king and queen. But, instead of presenting their desires to their sovereigns in the humble form of a supplication or address, the par-

* Keith, 496. Append. 190, 191.
† See Append. No. IV. ‡ Knox, 239, 256.

liament converted them into so many acts, which, although they never received the royal assent, obtained, all over the kingdom, the weight and authority of laws. In compliance with their injunctions, the established system of religion was every where overthrown, and that recommended by the reformers introduced in its place. The partiality and zeal of the people overlooked or supplied any defect in the form of these acts of parliament, and rendered the observance of them more universal than ever had been yielded to the statutes of the most regular or constitutional assembly. By these proceedings it must, however, be confessed that the parliament, or rather the nation, violated the last article in the treaty of Edinburgh, and even exceeded the powers competent to subjects. But when once men have been accustomed to break through the common boundaries of subjection, and their minds are inflamed with the passions which civil war inspires, it is mere pedantry or ignorance to measure their conduct by those rules which can be applied only where government is in a state of order and tranquillity. A nation, when obliged to employ such extraordinary efforts in defence of its liberties, avails itself of every thing which can promote this great end; and the necessity of the case, and the importance of the object, justify any departure from the common and established forms of the constitution.

In consequence of the treaty of Edinburgh, as well as by the ordinary forms of business, it became necessary to lay the proceedings of parliament before the king and queen. For this purpose, sir James Sandiland of Calder lord St. John was appointed to repair to the court of France. After holding a course so irregular, the leaders of the congregation had no reason to flatter themselves that Francis and Mary would ever approve their conduct, or confirm it by their royal assent. The reception of their ambassador was no other than they might have expected. He was treated by the king and queen with the utmost coldness, and dismissed without obtaining the ratification of the parliament's pro-

ceedings. From the princes of Lorrain, and their partiſans, he endured all the ſcorn and inſult which it was natural for them to pour upon the party he repreſented*.

Though the earls of Morton, Glencairn, and Maitland of Lethington, the ambaſſadors of the parliament to Elizabeth, their protectreſs, met with a very different reception, they were not more ſucceſsful in one part of the negotiation entruſted to their care. The Scots, ſenſible of the ſecurity which they derived from their union with England, were deſirous of rendering it indiſſoluble. With this view they empowered theſe eminent leaders of their party to teſtify to Elizabeth their gratitude for that ſeaſonable and effectual aid which ſhe had afforded them, and at the ſame time to beſeech her to render the friendſhip between the nations perpetual, by condeſcending to marry the earl of Arran, who, though a ſubject, was nearly allied to the royal family of Scotland, and, after Mary, the undoubted heir to the crown.

To the former part of this commiſſion Elizabeth liſtened with the utmoſt ſatisfaction, and encouraged the Scots, in any future exigency, to hope for the continuance of her good offices; with regard to the latter, ſhe diſcovered thoſe ſentiments to which ſhe adhered throughout her whole reign. Averſe from marriage, as ſome maintain through choice, but more probably out of policy, that ambitious princeſs would never admit any partner to the throne; but delighted with the entire and uncontrolled exerciſe of power, ſhe ſacrificed to the enjoyment of that the hopes of tranſmitting her crown to her own poſterity. The marriage with the earl of Arran could not be attended with any ſuch extraordinary advantage as to ſhake this reſolution; ſhe declined it, therefore, but with many expreſſions of good-will towards the Scottiſh nation, and of reſpect for Arran himſelf†.

* Knox, 255. Buch. 327.

† Burn. 3. Append. 308. Keith, 154, &c.

Towards the conclusion of this year, distinguished by so many remarkable events, there happened one of great importance. On the fourth of December died Francis II. a prince of a feeble constitution, and of a mean understanding. As he did not leave any issue by the queen, no incident could have been more fortunate to those who, during the late commotions in Scotland, had taken part with the congregation. Mary, by the charms of her beauty, had acquired an entire ascendant over her husband; and as she transferred all her influence to her uncles, the princes of Lorrain, Francis followed them implicitly in whatever track they were pleased to lead him. The power of France, under such direction, alarmed the Scottish malecontents with apprehensions of danger, no less formidable than well founded. The intestine disorders which raged in France, and the seasonable interposition of England in behalf of the congregation, had hitherto prevented the princes of Lorrain from carrying their designs upon Scotland into execution. But under their vigorous and fortified administration, it was impossible that the commotions in France could be of long continuance, and many things might fall in to divert Elizabeth's attention, for the future, from the affairs of Scotland. In either of these events, the Scots would stand exposed to all the vengeance which the resentment of the French court could inflict. The blow, however long suspended, was unavoidable, and must fall at last with redoubled weight. From this prospect and expectation of danger, the Scots were delivered by the death of Francis; the ancient confederacy of the two kingdoms had already been broken, and by this event the only bond of union which remained was dissolved. Catherine of Medicis, who, during the minority of Charles IX. her second son, engrossed the entire direction of the French councils, was far from any thoughts of vindicating the Scottish queen's authority. Catherine and Mary had been rivals in power during the reign of Francis II. and had contended for the government of that weak and unexperienced prince; but as the charms of the wife

easily triumphed over the authority of the mother, Catherine could never forgive such a disappointment in her favourite passion, and beheld now, with secret pleasure, the difficult and perplexing scene on which her daughter-in-law was about to enter. Mary, overwhelmed with all the sorrow which so sad a reverse of fortune could occasion; slighted by the queen-mother †; and forsaken by the tribe of courtiers, who appear only in the sunshine of prosperity, retired to Rheims, and there in solitude indulged her grief, or hid her indignation. Even the princes of Lorrain were obliged to contract their views; to turn them from foreign to domestic objects; and, instead of forming vast projects with regard to Britain, they found it necessary to think of acquiring and establishing an interest with the new administration.

It is impossible to describe the emotions of joy which, on all these accounts, the death of the French monarch excited among the Scots. They regarded it as the only event which could give firmness and stability to that system of religion and government which was now introduced: and it is no wonder contemporary historians should ascribe it to the immediate care of Providence, which, by unforeseen expedients, can secure the peace and happiness of kingdoms, in those situations where human prudence and invention would utterly despair ‡.

About this time the protestant church of Scotland began to assume a regular form. Its principles had obtained the sanction of public authority, and some fixed external policy became necessary for the government and preservation of the infant society. The model introduced by the reformers differed extremely from that which had been long established. The motives which induced them to depart so far from the ancient system deserve to be explained.

As the vices of the clergy, had, at first, excited the

† Henault, 340. Casteln. 454. ‡ Knox, 259.

indignation of mankind, and roused that spirit of inquiry, which proved fatal to the whole popish system; and, as this disgust at the vices of ecclesiastics was soon transferred to their persons, and shifting from them, by no violent transition settled at last on the offices which they enjoyed; the effects of the Reformation would naturally have extended not only to the doctrine, but to the government in the popish church, and the same spirit which abolished the former would have overturned the latter. But, in Germany, England, and the northern kingdoms, its operations were checked by the power and policy of their princes; and the ancient episcopal jurisdiction, under a few limitations, was still continued in those churches. The episcopal hierarchy appears to be more conformable to the practice of the church, since Christianity became the established religion of the Roman empire. The ecclesiastical government was, at that time, plainly copied from the civil; the first not only borrowed its form, but derived its authority from the latter; and the dioceses and jurisdictions of patriarchs, archbishops, and bishops, corresponded with the division and constitution of the empire. In Switzerland, and the Low-countries, the nature of the government allowing full scope to the genius of the Reformation, all pre-eminence of order in the church was destroyed, and an equality established more suitable to the spirit of republican policy. The situation of the primitive church suggested the idea, and furnished the model of the latter system, which has since been called *Presbyterian*. The first Christians, oppressed by continual persecutions, and obliged to hold their religious assemblies by stealth and in corners, were contented with a form of government extremely simple. The influence of religion concurred with the sense of danger, in extinguishing among them the spirit of ambition, and in preserving a parity of rank, the effect of their sufferings, and the cause of many of their virtues. Calvin, whose decisions were received among the protestants of that age with incredible submission, was the patron and restorer of

this scheme of ecclesiastical policy. The church of Geneva, formed under his eye and by his direction, was deemed the most perfect model of this government; and Knox, who during his residence in that city, had studied and admired it, warmly recommended it to the imitation of his countrymen.

Among the Scottish nobility, some hated the persons, and others coveted the wealth of the dignified clergy; and by abolishing that order of men, the former indulged their resentment, and the latter hoped to gratify their avarice. The people, inflamed with the most violent aversion to popery, and approving of every scheme that departed farthest from the practice of the Romish church, were delighted with a system so admirably suited to their predominant passion: while the friends of civil liberty beheld with pleasure the protestant clergy pulling down with their own hands that fabric of ecclesiastical power which their predecessors had reared with so much art and industry; and flattered themselves, that by lending their aid to strip churchmen of their dignity and wealth, they might entirely deliver the nation from their exorbitant and oppressive jurisdiction. The new mode of government easily made its way among men thus prepared, by their various interests and passions, for its reception.

But, in the first introduction of his system, Knox did not deem it expedient to depart altogether from the ancient form *. Instead of bishops, he proposed to establish ten or twelve superintendents in different parts of the kingdom. These, as the name implies, were empowered to inspect the life and doctrine of the other clergy. They presided in the inferior judicatories of the church, and performed several other parts of the episcopal function. Their jurisdiction, however, extended to sacred things only; they claimed no seat in parliament, and pretended no right to the dignity or revenues of the former bishops.

The number of inferior clergy, to whom the care

* Spotswood, 158.

of parochial duty could be committed, was ſtill extremely ſmall; they had embraced the principles of the Reformation at different times, and from various motives; during the public commotions, they were ſcattered, merely by chance, over the different provinces of the kingdom; and in a few places only were formed into regular claſſes or ſocieties. The firſt general aſſembly of the church, which was held this year, bears all the marks of an infant and unformed ſociety. The members were but few in number, and of no conſiderable rank; no uniform or conſiſtent rule ſeems to have been obſerved in electing them. From a great part of the kingdom no repreſentatives appeared. In the name of ſome entire counties, but one perſon was preſent; while in other places, a ſingle town or church ſent ſeveral members. A convention, ſo feeble and irregular, could poſſeſs no great authority; and conſcious of their own weakneſs, the members put an end to their debates, without venturing upon any deciſion of much importance†.

In order to give greater ſtrength and conſiſtence to the preſbyterian plan, Knox, with the aſſiſtance of his brethren, compoſed the firſt book of diſcipline, which contains the model or platform of the intended policy*. They preſented it to a convention of eſtates, which was held in the beginning of this year. Whatever regulations were propoſed with regard to eccleſiaſtical diſcipline and juriſdiction, would have eaſily obtained the ſanction of that aſſembly; but a deſign to recover the patrimony of the church, which is there inſinuated, met with a very different reception.

In vain did the clergy diſplay the advantages which would accrue to the public, by a proper application of eccleſiaſtical revenues. In vain did they propoſe, by an impartial diſtribution of this fund, to promote true religion, to encourage learning, and to ſupport the poor. In vain did they even intermingle threatenings of the divine diſpleaſure againſt the unjuſt detainers of

† Keith, 498. * Spotſ. 152.

what was appropriated to a ſacred uſe. The nobles held faſt the prey which they had ſeized; and beſtowing upon the propoſal the name of a *devout imagination*, they affected to conſider it altogether as a project altogether viſionary, and treated it with the utmoſt ſcorn†.

This convention appointed the prior of St. Andrews to repair to the queen, and to invite her to return into her native country, and to aſſume the reins of government, which had been too long committed to other hands. And though ſome of her ſubjects dreaded her return, and others foreſaw the dangerous conſequences with which it might be attended, the bulk of them deſired it with ſo much ardour, that the invitation was given with the greateſt appearance of unanimity. But the zeal of the Roman catholics got the ſtart of the prior in paying court to Mary; and Leſlie afterwards biſhop of Roſs, who was commiſſioned by them, arrived before him at the place of her reſidence. Leſly endeavoured to inſuſe into the queen's mind ſuſpicions of her proteſtant ſubjects, and to perſuade her to throw herſelf entirely into the arms of thoſe who adhered to her own religion. For this purpoſe, he inſiſted that ſhe ſhould land at Aberdeen; and as the proteſtant doctrines had made no conſiderable progreſs in that part of the kingdom, he gave her aſſurance of being joined in a few days by twenty thouſand men; and flattered her, that with ſuch an army, encouraged by her preſence and authority, ſhe might eaſily overturn the reformed church, before it was firmly ſettled on its foundations.

But at this juncture the princes of Lorrain were not diſpoſed to liſten to this extravagant and dangerous propoſal. Intent on defending themſelves againſt Catherine of Medicis, whoſe inſiduous policy was employed in undermining their exorbitant power, they had no leiſure to attend to the affairs of Scotland, and wiſhed their niece to take poſſeſſion of her kingdom with as

† See Append. No. V.

little diſturbance as poſſible. The French officers too, who had ſerved in Scotland, diſſuaded Mary from all violent meaſures; and by repreſenting the power and number of the proteſtants to be irreſiſtible, determined her to court them by every art; and rather to employ the leading men of that party as her miniſters, than to provoke them by a fruitleſs oppoſition to become her enemies *. Hence proceeded the confidence and affection with which the prior of St. Andrews was received by the queen. His repreſentation of the ſtate of the kingdom gained great credit; and Leſly beheld with regret the new channel in which court favour was likely to run.

Another convention of eſtates was held in May. The arrival of an ambaſſador from France ſeems to have been the occaſion of this meeting. He was inſtructed to ſolicit the Scots to renew their ancient alliance with France, to break their new confederacy with England, and to reſtore the popiſh eccleſiaſtics to the poſſeſſion of their revenues and the exerciſe of their functions. It is no eaſy matter to form any conjecture concerning the intentions of the French court in making theſe extraordinary and ill-timed propoſitions. They were rejected with that ſcorn which might well have been expected from the temper of the nation ‡.

In this convention the proteſtant clergy did not obtain a more favourable audience than formerly, and their proſpect of recovering the patrimony of the church ſtill remained as diſtant and uncertain as ever. But, with regard to another point, they found the zeal of the nobles in no degree abated. The book of diſcipline ſeemed to require that the monuments of popery, which ſtill remained in the kingdom, ſhould be demoliſhed ¶; and, though neither the ſame pretence of policy, nor the ſame ungovernable rage of the people, remained to juſtify or excuſe this barbarous havoc, the convention, conſidering every religious fabric as a

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* Melv. 61.

‡ Knox, 269, 273. ¶ Spotſwood, 153.

relic of idolatry, paſſed ſentence upon them by an act in form; and perſons the moſt remarkable for the activity of their zeal were appointed to put it in execution. Abbies, cathedrals, churches, libraries, records, and even the ſepulchres of the dead, periſhed in one common ruin. The firſt ſtorm of popular inſurrection, though impetuous and irreſiſtible, had extended only to a few counties, and ſoon ſpent its rage; but now a deliberate and univerſal rapine completed the devaſtation of every thing venerable and magnificent which had eſcaped its violence*.

In the mean time, Mary was in no haſte to return into Scotland. Accuſtomed to the elegance, ſplendour, and gaiety of a polite court, ſhe ſtill fondly lingered in France, the ſcene of all theſe enjoyments, and contemplated with horror the barbariſm of her own country, and the turbulence of her ſubjects, which preſented her with a very different face of things. The impatience, however, of her people, the perſuaſions of her uncles, but above all, the ſtudied and mortifying neglect with which ſhe was treated by the queen mother, forced her to think of beginning this diſagreeable voyage†. But while ſhe was preparing for it, there were ſown between her and Elizabeth the ſeeds of that perſonal jealouſy and diſcord, which embittered the life and ſhortened the days of the Scottiſh queen.

The ratification of the late treaty of Edinburgh was the immediate occaſion of this fatal animoſity; the true cauſe of it lay much deeper. Almoſt every article in that treaty had been executed by both parties with a ſcrupulous exactneſs. The fortifications of Leith were demoliſhed, and the armies of France and England withdrawn within the appointed time. The grievances of the Scottiſh malecontents were redreſſed, and they had obtained whatever they could demand for their future ſecurity. With regard to all theſe, Mary

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* Spotſwoood, 174.

† Brantome, Jebb, vol. ii. 482.

could have little reaſon to decline, or Elizabeth to urge, the ratification of the treaty.

The ſixth article remained the only ſource of conteſt and difficulty. No miniſter ever entered more deeply into the ſchemes of his ſovereign, or purſued them with more dexterity and ſucceſs than Cecil. In the conduct of the negotiation at Edinburgh, the ſound underſtanding of this able politician had proved greatly an overmatch for Monluc's refinements in intrigue, and had artfully induced the French ambaſſadors not only to acknowledge that the crowns of England and Ireland did of right belong to Elizabeth alone, but alſo to promiſe that in all times to come Mary ſhould abſtain from uſing the titles, or bearing the arms, of thoſe kingdoms.

The ratification of this article would have been of the moſt fatal conſequence to Mary. The crown of England was an object worthy of her ambition. Her pretenſions to it gave her great dignity and importance in the eyes of all Europe. By many, her title was eſteemed preferable to that of Elizabeth. Among the Engliſh themſelves, the Roman catholics, who formed at that time a numerous and active party, openly eſpouſed this opinion; and even the proteſtants, who ſupported Elizabeth's throne, could not deny the queen of Scots to be her immediate heir. A proper opportunity to avail herſelf of all theſe advantages could not, in the courſe of things, be far diſtant, and many incidents might fall in to bring this opportunity nearer than was expected. In theſe circumſtances, Mary, by ratifying the article in diſpute, would have loſt that rank which ſhe had hitherto held among neighbouring princes; the zeal of her adherents muſt have gradually cooled; and ſhe might have renounced, from that moment, all hopes of ever wearing the Engliſh crown*.

None of theſe beneficial conſequences eſcaped the penetrating eye of Elizabeth, who, for this reaſon,

* Haynes, 373, &c.

had recourse to every thing by which she could hope either to soothe or frighten the Scottish queen into a compliance with her demands; and if that princess had been so unadvised as to ratify the rash concessions of her ambassadors, Elizabeth, by that deed, would have acquired an advantage, which, under her management, must have turned to great account. By such a renunciation, the question with regard to the right of succession would have been left altogether open and undecided; and, by means of that, Elizabeth might either have kept her rival in perpetual anxiety and dependence, or, by the authority of her parliament, she might have broken in upon the order of lineal succession, and transferred the crown to some other descendant of the royal blood. The former conduct she observed towards James VI. whom, during his whole reign, she held in perpetual fear and subjection. The latter and more rigorous method of proceeding would, in all probability, have been employed against Mary, whom, for many reasons, she both envied and hated.

Nor was this step beyond her power, unprecedented in the history, or inconsistent with the constitution, of England. Though succession by hereditary right be an idea so natural and so popular, that it has been established in almost every civilized nation, yet England affords many memorable instances of deviations from that rule. The crown of that kingdom having once been seized by the hand of a conqueror, thus invited the bold and enterprising in every age to imitate such an illustrious example of fortunate ambition. From the time of William the I. the regular course of descent had seldom continued through three successive reigns. Those princes, whose intrigues or valour opened to them a way to the throne, called in the authority of the great council of the nation to confirm their dubious titles. Hence parliamentary and hereditary right became in England of equal consideration. That great assembly claimed and actually possessed a power of altering the order of regal succession; and even so late as Henry VIII. an act of parliament had authorised that capricious monarch to

settle the order of succession at his pleasure. The English, jealous of their religious liberty, and averse from the dominion of strangers, would have eagerly adopted the passions of their sovereign, and might have been easily induced to exclude the Scottish line from the right of succeeding to the crown. These seem to have been the views of both queens, and those were the difficulties which retarded the ratification of the treaty of Edinburgh.

But, if the sources of their discord were to be traced no higher than this treaty, an inconsiderable alteration in the words of it might have brought the present question to an amicable issue. The indefinite and ambiguous expression which Cecil had inserted into the treaty, might have been changed into one more limited but more precise; and Mary, instead of promising to abstain from bearing the title of queen of England, in all times to come, might have engaged not to assume that title during the life of Elizabeth, or the lives of her lawful posterity *.

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* An event so important, as a reconcilement between Elizabeth and Mary, could not escape the penetrating eye of Cecil. In a letter to Throkmorton, dated July 14, 1561, he thus energetically delivers himself: "There hath been a matter secretly thought of, which I dare communicate to you, although I mean never to be an author thereof; and that is, if an accord might be made betwixt our mistress and the Scottish queen, that this should by parliament in Scotland, &c. surrender unto the queen's majesty all matter of claim, and unto the heirs of her body; and in consideration thereof, the Scottish queen's interest should be acknowledged in default of heirs of the body of the queen's majesty. Well, God send our mistress a husband, and by time a son, that we may hope our posterity shall have a masculine succession. This matter is too big for weak folks, and too deep for simple. The queen's majesty knoweth of it." Hardw. State Pap. i. 174 Whatever concerned the succession, Elizabeth always regarded it with a jealous

This amendment, however, did not ſuit the views of either queen. Though Mary had been obliged to ſuſpend for ſome time the proſecution of her title to the Engliſh crown, ſhe had not however relinquiſhed it. She determined to revive her claim on the firſt proſpect of ſucceſs, and was unwilling to bind herſelf by a poſitive engagement, not to take advantage of any ſuch fortunate occurrence. Nor would the alteration have been more acceptable to Elizabeth, who, by agreeing to it, would have tacitly recogniſed the right of her rival to aſcend the throne after her deceaſe. But neither the Scottiſh nor Engliſh queen durſt avow theſe ſecret ſentiments of their hearts. Any open diſcovery of an inclination to diſturb the tranquility of England, or to wreſt the ſceptre out of Elizabeth's hands, might have proved fatal to Mary. Any ſuſpicion of a deſign to alter the order of ſucceſſion, and to ſet aſide the claim of the Scottiſh queen, would have expoſed Elizabeth to much and deſerved cenſure, and have raiſed up againſt her many and dangerous enemies. Theſe, however carefully concealed or artfully diſguiſed, were, in all probability, the real motives which determined the one queen to ſolicit, and the other to refuſe, the ratification of the treaty in its original form; while neither had recourſe to that explication of it, which to an heart unwarped by political intereſt, and ſincerely deſirous of union and concord, would have appeared ſo obvious and natural.

But though conſiderations of intereſt firſt occaſioned this rupture between the Britiſh queens, rivalſhip of another kind contributed to widen the breach, and female jealouſy increaſed the violence of their political hatred.

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eye; and the moſt confidential of her miniſters acted with the greateſt precaution whenever that ſubject was diſcuſſed. Even Cecil, who was her chief adviſer in intricate buſineſs, ſpeaking of the ſucceſſion in caſe of Elizabeth dying without iſſue, thus expreſſes himſelf: "This ſong hath many parts; but for my part, I have no ſkill but in plain ſong." Ibid. 178.

Elizabeth, with all those extraordinary qualities by which she equalled or surpassed such of her sex as have merited the greatest renown, discovered an admiration of her own person, to a degree which women of ordinary understandings either do not entertain, or prudently endeavour to conceal. Her attention to dress, her solicitude to display her charms, her love of flattery, were all excessive. Nor were these weaknesses confined to that period of life when they are more pardonable. Even in very advanced years, the wisest women of that, or perhaps of any other age, wore the garb, and affected the manners of a girl‡. Though Elizabeth was as much inferior to Mary in beauty and gracefulness of person, as she excelled her in political abilities and in the arts of government, she was weak enough to compare herself with the Scottish queen†; and as it was impossible she could be altogether ignorant how much Mary gained by the comparison, she envied and hated her as a rival by whom she was eclipsed. In judging of the conduct of princes, we are apt to ascribe too much to political motives, and too little to the passions which they feel in common with the rest of mankind. In order to account for Elizabeth's present, as well as her subsequent conduct towards Mary, we must not always consider her as a queen, we must sometimes regard her merely as a woman.

Elizabeth, though no stranger to Mary's difficulties with respect to the treaty, continued to urge her, by repeated applications, to ratify it*. Mary, under various pretences, still contrived to gain time, and to elude the request. But while the one queen solicited with persevering importunity, and the other evaded with artful delay, they both studied an extreme politeness of behaviour, and loaded each other with professions of sisterly

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‡ Johnston Hist. Rer. Britan. 346, 347. Carte, vol. iii 699. Catalogue of Royal and Noble Authors, article *Essex*.

† Melvil, 98. * Keith, 157, 160, &c.

love, with reciprocal declarations of unchangeable esteem and amity.

It was not long before Mary was convinced, that among princes these expressions of friendship are commonly far distant from the heart. In sailing from France to Scotland, the course lies along the English coast. In order to be safe from the insults of the English fleet, or, in case of tempestuous weather, to secure a retreat in the harbours of that kingdom, Mary sent M. D'Oysel to demand of Elizabeth a safe conduct during her voyage. This request, which decency alone obliged one prince to grant to another, Elizabeth rejected, in such a manner as gave rise to no slight suspicion of a design, either to obstruct the passage, or to intercept the person of the Scottish queen †.

Mary, struck with indignation at this ambiguous conduct of Elizabeth, immediately remonstrated to Throkmorton the English ambassador, upon such ungenerous usage. In this conference, Mary exerted all that dignity and vigour of mind of which she was so capable, and at no period of her life were her abilities displayed to greater advantage. She was then in her eighteenth year; and as Throkmorton's observations on what passed were directed immediately to Elizabeth, it is evidently clear, that crafty counsellor would not display the abilities of the Scottish queen in a style too favourable.

This ungenerous usage, however, did not intimidate Mary from prosecuting her intended voyage. She was accompanied to Calais, the place where she embarked, in a manner suitable to her dignity, as the queen of two powerful kingdoms. Six princes of Lorrain her uncles, with many of the most eminent among the French nobles, were in her retinue. Catherine, who secretly rejoiced at her departure, graced it with every circumstance of magnificence and respect. After bidding adieu to her mourning attendants, with a sad heart, and eyes bathed in tears, Mary left that kingdom, the short but only scene of her life in which fortune smiled upon her.

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† Keith, 171. Camden. See Appendix, No. VI.

While the French coast continued in sight, she intently gazed upon it, and musing, in a thoughtful posture, on that height of fortune whence she had fallen, and presaging, perhaps, the disasters and calamities which embittered the remainder of her days, she sighed often, and cried out, "Farewel France! Farewel beloved country, which I shall never more behold!" Even when the darkness of the night had hid the land from her view, she would neither retire to the cabin, nor taste food, but commanding a couch to be placed on the deck, she there waited the return of day with the utmost impatience. Fortune soothed her on this occasion, the galley made little way during the night. In the morning, the coast of France was still within sight, and she continued to feed her melancholy with the prospect; and as long as her eyes could distinguish it, to utter the same tender expressions of regret *. At last a brisk gale arose by the favour of which, for some days, and afterwards under the cover of a thick fog, Mary escaped the English fleet, which lay in wait to intercept her ‡; and on the nineteenth of August, after an absence of near

* Brantome, 483. He himself was in the same galley with the queen.

‡ This was undoubtedly the opinions of the times. Camden declares that the lord James, in his return from France, advised Elizabeth, for the interest of religion, and her own security, to seize Mary in her way to Scotland; Camden 67. Maitland of Lethington, a man of great influence in Scotland, and closely attached to James, recommended also the same step; ibid. This is strongly supported by Lethington's own words; Keith, Append. p. 92. Hence there is no doubt that Elizabeth sent a large squadron of ships to intercept Mary, as is plainly alluded to in a speech delivered by the lord keeper Bacon some time after in the privy council. And the after conduct of queen Elizabeth and of the lord James leaves not a shadow of doubt that they were capable of planning such a design.

thirteen years, landed ſafely at Leith in her native kingdom.

Mary was received by her ſubjects with ſhouts and acclamations of joy, and with every demonſtration of welcome and regard. But as her arrival was unexpected, and no ſuitable preparation had been made for it, they could not, with all their efforts, hide from her the poverty of the country, and were obliged to conduct her to the palace of Holyrood-houſe with little pomp. The queen, accuſtomed from her infancy to the utmoſt ſplendour and magnificence, and fond of them, as was natural at her age, could not help obſerving the change in her ſituation, and ſeemed to be deeply affected with it‡.

Never did a prince aſcend the throne at a juncture which called for more wiſdom in council, or more courage and ſteadineſs in action. The rage of religious controverſy was ſtill unabated. The memory of paſt oppreſſion exaſperated the proteſtants; the ſmart of recent injuries rendered the papiſts deſperate; both were zealous, fierce, and irreconcileable. The abſence of their ſovereign had accuſtomed the nobles to independency; and during the late commotions they had acquired ſuch an increaſe of wealth, as threw great weight into the ſcale of the ariſtocracy, which ſtood not in need of any acceſſion of power. The kingdom had long been under the government of regents, who exerciſed a delegated juriſdiction, attended with little authority, and which inſpired no reverence. A ſtate of pure anarchy had prevailed for the laſt two years, without a regent, without a ſupreme council, without the power or even the form, of a regular government*. A licentious ſpirit, unacquainted with ſubordination, and diſdaining the reſtraints of law and juſtice, had ſpread among all ranks of men. The influence of France, the ancient ally of the kingdom, was withdrawn or deſpiſed. The Engliſh, of enemies become confederates, had grown into confidence with the nation, and gained an aſcendant over all its councils. The Scottiſh monarchs did not derive more ſplendour

‡ Brant. 484. * Keith, Appendix, 92.

or power from the friendſhip of the former, than they had reaſon to dread injury and diminution from the interpoſition of the latter. Every conſideration, whether of intereſt or of ſelf-preſervation, obliged Elizabeth to depreſs the royal authority in Scotland, and to create the prince perpetual difficulties, by fomenting the ſpirit of diſſatisfaction among the people.

In this poſture were the affairs of Scotland, when the adminiſtration fell into the hands of a young queen, not nineteen years of age, unacquainted with the manners and laws of her country, a ſtranger to her ſubjects, without experience, without allies, and almoſt without a friend.

On the other hand, in Mary's ſituation we find ſome circumſtances, which though they did not balance theſe diſadvantages, contributed however to alleviate them, and, with ſkilful management, might have produced great effects. Her ſubjects, unaccuſtomed ſo long to the reſidence of their prince, were not only dazzled by the novelty and ſplendour of the royal preſence, but inſpired with awe and reverence. Beſides the places of power and profit beſtowed by the favour of a prince, his protection, his familiarity, and even his ſmiles, confer honour, and win the hearts of men. From all corners of the kingdom, the nobles crowded to teſtify their duty and affection to their ſovereign, and ſtudied by every art to wipe out the memory of paſt miſconduct, and to lay in a ſtock of future merit. The amuſements and gaiety of her court, which was filled with the moſt accompliſhed of the French nobility, who had attended her, began to ſoften and to poliſh the rude manners of the nation. Mary herſelf poſſeſſed many of thoſe qualifications which raiſe affection and procure eſteem. The beauty and gracefulneſs of her perſon drew univerſal admiration, the elegance and politeneſs of her manners commanded general reſpect. To all the charms of her own ſex, ſhe added many of the accompliſhments of the other. The progreſs ſhe had made in all the arts and ſciences, which were then deemed neceſſary or ornamental, was far beyond what

is commonly attained by princes, and all her other qualities were rendered more agreeable by a courteous affability, which, without leſſening the dignity of a prince, ſteals on the hearts of ſubjects with a bewitching inſinuation.

From theſe circumſtances, notwithſtanding the threatening aſpect of affairs at Mary's return into Scotland, notwithſtanding the clouds which gathered on every hand, a political obſerver would have predicted a very different iſſue of her reign; and whatever ſudden guſts of faction he might have expected, he would never have dreaded the deſtructive violence of that ſtorm which followed.

While all parties were contending who ſhould diſcover the moſt dutiful attachment to the queen, the zealous and impatient ſpirit of the age broke out in a remarkable inſtance. On the Sunday after her arrival, the queen commanded maſs to be celebrated in the chapel of her palace. The firſt rumour of this occaſioned a ſecret murmuring among the proteſtants who attended the court; complaints and threatenings ſoon followed; the ſervants belonging to the chapel were inſulted and abuſed; and, if the prior of St. Andrews had not ſeaſonably interpoſed, the rioters might have proceeded to the utmoſt exceſſes†.

It is impoſſible, at this diſtance of time, and under circumſtances ſo very different, to conceive the violence of that zeal againſt popery which then poſſeſſed the nation. Every inſtance of condeſcenſion to the papiſts was eſteemed an act of apoſtacy, and the toleration of a ſingle maſs pronounced to be more formidable to the nation than the invaſion of ten thouſand armed men‡. Under the influence of theſe opinions, many proteſtants would have ventured to go dangerous lengths; and, without attempting to convince their ſovereign by argument, or to reclaim her by indulgence, would have abruptly denied her the liberty of worſhipping God in that manner which alone ſhe thought acceptable to him.

† Knox, 284. ‡ Knox, 287.

But the prior of St. Andrews and other leaders of the party, not only restrained this impetuous spirit, but, in spite of the murmurs of the people and the exclamations of the preachers, obtained for the queen and her domestics the undisturbed exercise of the catholic religion. Near an hundred years after this period, when the violence of religious animosities had begun to subside, when time and progress of learning had enlarged the views of the human mind, an English house of commons refused to indulge the wife of their sovereign in the private use of the mass. The protestant leaders deserve, on this occasion, the praise both of wisdom and of moderation for conduct so different. But, at the same time, whoever reflects upon the encroaching and sanguinary spirit of popery, will be far from treating the fears and caution of the more zalous reformers as altogether imaginary, and destitute of any real foundation.

The protestants, however, by this compliance with the queen's prejudices, a few days after her arrival in Scotland, obtained from her a proclamation highly favourable to their religion. The reformed doctrine, though established all over the kingdom by the parliament then met, had never received the countenance or sanction of royal authority. But, to soothe the minds of those who had joined in that doctrine, and to do away any doubts that they might entertain, the queen publicly announced, "that until she should take final orders concerning religion, with advice of parliament, any attempt to alter or subvert the religion which she found universally practised in the realm, should be deemed a capital crime*." The following year another declaration to the same purport was proclaimed†.

The queen, conformable to the plan which had been concerted in France, committed the administration of affairs entirely to protestants. Her council was filled with the most eminent persons of that party; not a single papist was admitted into any degree of confidence‡. The prior of St. Andrews and Maitland of Lethington

* Keith. 504. † Ibid. 510. ‡ Knox, 285.

feemed to hold the firft place in the queen's affection, and poffeffed all the power and reputation of favourite minifters. Her choice could not have fallen upon perfons more acceptable to her people; and by their prudent advice, fhe conducted herfelf with fo much moderation, and deference to the fentiments of the nation, as could not fail of gaining the affection of her fubjects*, the firmeft foundation of a prince's power, and the only genuine fource of his happinefs and glory.

A cordial reconcilement with Elizabeth was another object of great importance to Mary; and though fhe feems to have had it much at heart, in the beginning of her adminiftration, to accomplifh fuch a defirable conjunction, yet many events occurred to widen, rather than to clofe, the breach. The formal offices of friendfhip, however, are feldom neglected among princes; and Elizabeth, who had attempted fo openly to obftruct the queen's voyage into Scotland, did not fail, a few days after her arrival, to command Randolph to congratulate her fafe return. Mary, that fhe might be on equal terms with her, fent Maitland to the Englifh court, with many ceremonious expreffions of regard for Elizabeth†. Both the ambaffadors were received with the utmoft civility; and on each fide the profeffions of kindnefs, as they were made with little fincerity, were liftened to with proportional credit.

Both were intrufted, however, with fomething more than mere matter of ceremony. Randolph urged Mary, with frefh importunity, to ratify the treaty of Edinburgh. Maitland endeavoured to amufe Elizabeth, by apologizing for the dilatory conduct of his miftrefs with regard to that point. The multiplicity of public affairs fince her arrival in Scotland, the importance of the queftion in difpute, and the abfence of many noblemen, with whom fhe was obliged in decency to confult, were the pretences offered in excufe for her conduct; the real caufes of it were thofe which have already been mentioned. In order to extricate herfelf out of thefe difficul-

* Lefly, 235. † Keith, 181, &c.

ties, into which the treaty of Edinburgh had led her, Mary was brought to yield a point, which formerly ſhe ſeemed determined never to give up. She inſtructed Maitland to ſignify her willingneſs to diſclaim any right to the crown of England, during the life of Elizabeth, and the lives of her poſterity; if, in the failure of theſe, ſhe were declared next heir by act of parliament *.

Reaſonable as this propoſal might appear to Mary, who thereby precluded herſelf from diſturbing Elizabeth's poſſeſſion of the throne, nothing could be more inconſiſtent with Elizabeth's intereſt, or more contradictory to a paſſion which predominated in the character of that princeſs. Notwithſtanding all the great qualities which threw ſuch luſtre on her reign, we may obſerve, that ſhe was tinctured with a jealouſy of her right to the crown, which often betrayed her into mean and ungenerous actions. The peculiarity of her ſituation, heightened, no doubt, and increaſed, but did not infuſe this paſſion. It deſcended to her from Henry VII. her grandfather, whom, in ſeveral features of his character, ſhe nearly reſembled. Like him, ſhe ſuffered the title by which ſhe held the crown to remain ambiguous and controverted, rather than ſubmit it to parliamentary diſcuſſion, or derive any addition to her right from ſuch authority. Like him, ſhe obſerved every pretender to the ſucceſſion, not only with that attention which prudence preſcribes, but with that averſion which ſuſpicion inſpires. The preſent uncertainty with regard to the right of ſucceſſion operated for Elizabeth's advantage, both on her ſubjects and on her rivals. Among the former, every lover of his country regarded her life as the great ſecurity of the national tranquillity; and choſe rather to acknowledge a title which was dubious, than to ſearch for one that was unknown. The latter, while nothing was decided, were held in dependence, and obliged to court her. The manner in which ſhe received this ill-timed propoſal of the Scottiſh queen was no other than might have been expected. She rejected

* Camden, 387. Buch. 329.

it in a peremptory tone, with many expreſſions of a reſolution never to permit a point of ſo much delicacy to be touched.

About this time the queen made her public entry into Edinburgh with great pomp. Nothing was neglected which could expreſs the duty and affection of the citizens towards their ſovereign. But amidſt theſe demonſtrations of regard, the genius and ſentiments of the nation diſcovered themſelves in a circumſtance, which, though inconſiderable, ought not to be overlooked. As it was the mode of the times to exhibit many pageants at every public ſolemnity, moſt of theſe, on this occaſion, were contrived to be repreſentations of the vengeance which the Almighty had inflicted upon idolaters *. Even while they ſtudied to amuſe and to flatter the queen, her ſubjects could not refrain from teſtifying their abhorrence of that religion which ſhe profeſſed.

To reſtore the regular adminiſtration of juſtice, and to reform the internal policy of the country, became the next object of the queen's care. The laws enacted for preſervation of public order, and the ſecurity of private property, were nearly the ſame in Scotland as in every other civilized country. But the nature of the Scottiſh conſtitution, the feebleneſs of regal authority, the exorbitant power of the nobles, the violence of faction, and the fierce manners of the people, rendered the execution of theſe laws feeble, irregular, and partial. In the counties which border on England, this defect was moſt apparent; and the conſequences of it moſt ſenſibly felt. The inhabitants, ſtrangers to induſtry, averſe from labour, and unacquainted with the arts of peace, ſubſiſted chiefly by ſpoil and pillage, and, being confederated in ſepts or clans, committed theſe exceſſes not only with impunity, but even with honour. During the unſettled ſtate of the kingdom from the death of James V. this dangerous licence had grown to an unuſual height; and the inroads and rapine of thoſe freebooters were become no leſs intolerable to their own

* Keith, 189.

countrymen than to the English. To restrain and punish these outrages, was an action equally popular in both kingdoms. The prior of St. Andrews was the person chosen for this important service, and extraordinary powers, together with the title of the queen's lieutenant, were vested in him for this purpose.

Nothing can be more surprising to men accustomed to regular government, than the preparations made on this occasion. They were such as might be expected in the rudest and most imperfect state of society. The freeholders of eleven several counties, with all their followers completely armed, were summoned to assist the lieutenant in the discharge of his office. Every thing resembled a military expedition, rather than the progress of a court of justice*. The prior executed his commission with such vigour and prudence, as acquired him a great increase of reputation and popularity among his countrymen. Numbers of the banditti suffered the punishment due to their crimes; and, by the partial and rigorous administration of justice, order and tranquillity were restored to that part of the kingdom.

During the absence of the prior of St. Andrews, the leaders of the popish faction seem to have taken some steps towards insinuating themselves into the queen's favour and confidence†. But the archbishop of St. Andrews, the most remarkable person in the party for abilities and political address, was received with little favour at court; and whatever secret partiality the queen might have towards those who professed the same religion with herself, she discovered no inclination at that time to take the administration of affairs out of the hands to which she had already committed it.

The cold reception of the archbishop of St. Andrews was owing to his connection with the house of Hamilton, from which the queen was much alienated. The duke of Guise and the cardinal could never forgive the zeal with which the duke of Chatelherault and his son the earl of Arran had espoused the cause of the congre-

* Keith 198. † Ibid., 203.

gation. Princes seldom view their successors without jealousy and distrust. The prior of St. Andrews, perhaps, dreaded the duke as a rival in power. All these causes concurred in infusing into the queen's mind an aversion for that family. The duke, indulging his love of retirement, lived at a distance from court, without taking pains to insinuate himself into favour; and though the earl of Arran openly aspired to marry the queen, he, by a most unpardonable act of imprudence, was the only nobleman of distinction who opposed Mary's enjoying the exercise of her religion; and by rashly entering a public protestation against it, entirely forfeited her favour*. At the same time, the sordid parsimony of his father obliged him either to hide himself in some retirement, or to appear in a manner unbecoming his dignity as first prince of the blood, or his high pretensions as suitor to the queen†. His love inflamed by disappointment, and his impatience exasperated by neglect, preyed gradually on his reason; and, after many extravagancies, broke out at last in ungovernable frenzy.

Towards the end of the year, a convention of estates was held, chiefly on account of ecclesiastical affairs. The assembly of the church, which sat at the same time, presented a petition, containing many demands with respect to the suppressing of popery, the encouraging the protestant religion, and the providing for the maintenance of the clergy‡. The last was a matter of great importance, and the steps taken towards it deserve to be traced.

Though the number of protestant preachers was now considerably increased, many more were still needed in every corner of the kingdom. No legal provision having been made for them, they had hitherto drawn a scanty and precarious subsistence from the benevolence of their people. To suffer the ministers of an established church to continue in this state of indigence and dependence was an indecency equally repugnant to the princi-

* Keith, 201, 204. Knox, 286. † Keith, 196.
‡ Ibid. 210.

ples of religion, and to the maxims of ſound policy; and would have juſtified all the imputations of avarice with which the Reformation was then loaded by its enemies. The revenues of the popiſh church were the only fund which could be employed for their relief; but during the three laſt years the ſtate of theſe was greatly altered. A great majority of abbots, priors, and other heads of religious houſes, had, either from a ſenſe of duty, or from views of intereſt, renounced the errors of popery; and notwithſtanding this change in their ſentiments, they retained their ancient revenues. Almoſt the whole order of biſhops, and ſeveral of the other dignitaries, ſtill adhered to the Romiſh ſuperſtition; and though debarred from every ſpiritual function, continued to enjoy the temporalities of their benefices. Some laymen, eſpecially thoſe who had been active in promoting the Reformation, had, under various pretences, and amidſt the licence of civil wars, got into their hands poſſeſſions which belonged to the church. Thus, before any part of the ancient eccleſiaſtical revenues could be applied towards the maintenance of the proteſtant miniſters, many different intereſts were to be adjuſted; many claims to be examined; and the prejudices and paſſions of the two contending parties required the application of a delicate hand. After much contention, the following plan was approved by a majority of voices, and acquieſced in even by the popiſh clergy themſelves. An exact account of the value of eccleſiaſtical benefices throughout the kingdom was appointed to be taken. The preſent incumbents, to whatever party they adhered, were allowed to keep poſſeſſion: two thirds of their whole revenue were reſerved for their own uſe, the remainder was annexed to the crown; and out of that, the queen undertook to aſſign a ſufficient maintenance for the proteſtant clergy †.

As moſt of the biſhops and ſeveral of the other dignitaries were ſtill firmly attached to the popiſh religion, the extirpation of the whole order, rather than an act

† Keith, Append. 175. Knox, 194.

of ſuch extraordinary indulgence, might have been expected from the zeal of the preachers, and from the ſpirit which had hitherto animated the nation. But, on this occaſion, other principles obſtructed the operations of ſuch as were purely religious. Zeal for liberty, and the love of wealth, two paſſions extremely oppoſite, concurred in determining the proteſtant leaders to fall in with this plan, which deviated ſo manifeſtly from the maxims by which they had hitherto regulated their conduct.

If the reformers had been allowed to act without controul, and to level all diſtinction in the church, the immenſe revenues annexed to eccleſiaſtical dignities could not, with any colour of juſtice, have been retained by thoſe in whoſe hands they now were; but muſt either have been diſtributed amongſt the proteſtant clergy, who performed all religious offices, or muſt have fallen to the queen, from the bounty of whoſe anceſtors the greater part of them was originally derived. The former, however ſuitable to the religious ſpirit of many among the people, was attended with manifold danger. The popiſh eccleſiaſtics had acquired a ſhare in the national property, which far exceeded the proportion that was conſiſtent with the happineſs of the kingdom; and the nobles were determined to guard againſt this evil, by preventing the return of thoſe vaſt poſſeſſions into the hands of the church. Nor was the latter, which expoſed the conſtitution to more imminent hazard, to be avoided with leſs care. Even that circumſcribed prerogative which the Scottiſh kings poſſeſſed, was the object of jealouſy to the nobles. If they had allowed the crown to ſeize the ſpoils of the church, ſuch an increaſe of power muſt have followed that acceſſion of property, as would have raiſed the royal authority above controul, and have rendered the moſt limited prince in Europe the moſt abſolute and independent. The reign of Henry VIII. preſented a recent and alarming example of this nature. The wealth which flowed in upon that prince, from the ſuppreſſion of the monaſteries, not only changed the maxims of his government, but the temper of

his mind; and he who had formerly submitted to his parliaments and courted his people, dictated from that time to the former with intolerable insolence, and tyrannized over the latter with unprecedented severity. And if his policy had not been extremely short-sighted, if he had not squandered what he acquired, with a profusion equal to his rapaciousness, and which defeated his ambition, he might have established despotism in England, on a basis so broad and strong, as all the efforts of the subjects would never have been able to shake. In Scotland, where the riches of the clergy bore as great a proportion to the wealth of the kingdom, the acquisition of church lands would have been of no less importance to the crown, and no less fatal to the aristocracy. The nobles, for this reason, guarded against such an increase of the royal power, and thereby secured their own independence.

Avarice mingled itself with their concern for the interest of their order. The re-uniting the possessions of the church to the crown, or the bestowing them on the protestant clergy, would have been a fatal blow, both to those nobles who had, by fraud or violence, seized part of these revenues, and to those abbots and priors who had totally renounced their ecclesiastical character. But as the plan which was proposed gave some sanction to their usurpation, they promoted it with their utmost influence. The popish ecclesiastics, though the lopping off a third of their revenues was by no means agreeable to them, consented, under their present circumstances, to sacrifice a part of their possessions, in order to purchase the secure enjoyment of the remainder; and after deeming the whole irrecoverably lost, they considered whatever they could retrieve as so much gain. Many of the ancient dignitaries were men of noble birth; and as they no longer entertained hopes of restoring the popish religion, they wished their own relations, rather than the crown, or the protestant clergy, to be enriched with the spoils of the church. They connived, for this reason, at the encroachments of the nobles; they even aided their avarice and violence; they dealt out the patri-

mony of the church among their own relations, and by granting *feus* and perpetual leafes of lands and tithes, gave, to the utmoft of their power, fome colour of legal poffeffion to what was formerly mere ufurpation. Many veftiges of fuch alienations ftill remain †. The nobles, with the concurrence of the incumbents, daily extended their encroachments, and gradually ftripped the ecclefiaftics of their richeft and moft valuable poffeffions. Even that third part, which was given up in order to filence the clamours of the proteftant clergy, and to be fome equivalent to the crown for its claims, amounted to no confiderable fum. The *thirds* due by the more powerful nobles, efpecially by fuch as had embraced the Reformation, were almoft univerfally remitted. Others, by producing fraudulent rentals; by eftimating the corn, and other payments in kind, at an undervalue; and by the connivance of collectors, greatly diminifhed the charge againft themfelves ‡: and the nobles had much reafon to be fatisfied with a device, which, at no fmall expence, fecured to them fuch vaft poffeffions.

Nor were the proteftant clergy confiderable gainers by this new regulation; they found it to be a more eafy matter to kindle zeal, than to extinguifh avarice. Thofe very men, whom formerly they had fwayed with abfolute authority, were now deaf to all their remonftrances. The prior of St. Andrews, the earl of Argyle, the earl of Morton, and Maitland, all the moft zealous leaders of the congregation, were appointed to affign, or, as it was called, to *modify* their ftipends. An hundred merks Scottifh was the allowance which their liberality afforded to the generality of minifters. To a few, three hundred merks, were granted *. About twenty-four thoufand pounds Scottifh appears to have been the whole fum alloted for the maintenance of a national church eftablifhed by law, and efteemed throughout the kingdom the true church of God ‖.

† Keith, 507. Spotfw. 274

‡ Keith, Append. 288. Spotfw. 283.

* Knox, 301. ‖ Keith, Append. 188.

Even this ſum was paid with little exactneſs, and the miniſters were kept in the ſame poverty and dependence as formerly.

The gentleneſs of the queen's adminiſtration, and the elegance of her court, had mitigated, in ſome degree, the ferocity of the nobles, and accuſtomed them to greater mildneſs and humanity; while, at the ſame time, her preſence and authority were a check to their factious and tumultuary ſpirit. But, as a ſtate of order and tranquillity was not natural to the feudal ariſtocracy, it could not be of long continuance; and this year became remarkable for the moſt violent eruptions of inteſtine diſcord and animoſity.

Among the great and independent nobility of Scotland a monarch could poſſeſs little authority, and exerciſe no extenſive or rigorous juriſdiction. The interfering of intereſt, the unſettled ſtate of property, the frequency of public commotions, and the fierceneſs of their own manners, ſowed among the great families the ſeeds of many quarrels and contentions. Theſe, as we have already obſerved, were frequently decided not by law, but by violence. The offended baron, without having recourſe to the monarch, or acknowledging his ſuperior authority, aſſembled his own followers, and invaded the lands of his rival in an hoſtile manner. Together with his eſtate and honours, every nobleman tranſmitted ſome hereditary feud to his poſterity, who were bound in honour to adopt and to proſecute it with the ſame inveterate rancour.

Such a diſſenſion had ſubſiſted between the houſe of Hamilton and the earl of Bothwell, and was heightened by mutual injuries during the late commotions *. Both the earl of Arran and Bothwell happening to attend the court at the ſame time, their followers quarrelled frequently in the ſtreets of Edinburgh, and excited dangerous tumults in that city. At laſt, the mediation of their friends, particularly of Knox, brought about a re-

* Keith, 215.

concilement, but an unfortunate one, to both these noblemen ‖.

A few days after, Arran came to Knox, and, with the utmost terror and confusion, confessed first to him, and then to the prior of St. Andrews, that, in order to obtain the sole direction of affairs, Bothwell, and his kinsmen, the Hamiltons, had conspired to murder the prior, Maitland, and the other favourites of the queen. The duke of Chetelherault regarded the prior as a rival, who had supplanted him in the queen's favour, and who filled that place at the helm, which he imagined to be due to himself, as first prince of the blood. Bothwell, on account of the personal injuries which he had received from the prior during the late commotions, was no less exasperated against him. But whether he and the Hamiltons had agreed to cement their new alliance with the blood of their common enemy, or whether the conspiracy existed only in the frantic and disordered imagination of the earl of Arran, it is impossible, amidst the contradiction of historians and the defectiveness of records, positively to determine. Among men inflamed with resentment and impatient for revenge, rash expressions might be uttered, and violent and criminal expedients proposed; and on that foundation, Arran's distempered fancy might rear the whole superstructure of a conspiracy. All the persons accused, denied their guilt with the utmost confidence. But the known characters of the men, and the violent spirit of the age, added greatly to the probability of the accusation, and abundantly justify the conduct of the queen's ministers, who confined Bothwell, Arran, and a few of the ringleaders, in separate prisons, and obliged the duke to surrender the strong castle of Dumbarton, which he had held ever since the time of his resigning the office of regent *.

The designs of the earl of Huntly against the prior of St. Andrews were deeper laid, and produced more memorable and more tragical events. George Gordon

‖ Knox, 305. * Ibid. 307, 308.

earl of Huntly having been one of the nobles who conſpired againſt James III. and who raiſed his ſon James IV. to the throne, enjoyed a great ſhare in the confidence of that generous prince §. By his bounty, great acceſſions of wealth and power were added to a family already opulent and powerful. On the death of that monarch, Alexander the next earl, being appointed lord lieutenant of all the counties beyond Forth, left the other nobles to contend for offices at court; and having retired to the north, where his eſtate and influence lay, reſided there in a kind of princely independence. The chieftains in that part of the kingdom dreaded the increaſing dominion of ſuch a dangerous neighbour, but were unable to prevent his encroachments. Some of his rivals he ſecretly undermined, others he ſubdued by open force. His eſtate far exceeded that of any other ſubject, and his *ſuperiorities* and juriſdictions extended over many of the northern counties. With power and poſſeſſions ſo immenſe, under two long and feeble minorities, and amidſt the ſhock of civil commotions, the earls of Huntly might have indulged the moſt elevated hopes. But happily for the crown, an active and enterpriſing ſpirit was not the characteriſtic of that family, and whatever object their ambition might have in view, they choſe rather to acquire it by political addreſs, than to ſeize it openly, and by force of arms.

The conduct of George the preſent earl, during the late commotions, had been perfectly ſuitable to the character of the family in that age, dubious, variable, and crafty. While the ſucceſs of the lords of the congregation was uncertain, he aſſiſted the queen regent in attempting to cruſh them. When their affairs put on a better aſpect, he pretended to join them, but never heartily favoured their cauſe. He was courted and dreaded by each of the contending parties; both connived at his encroachments in the north; and, by artifice and force, which he well knew how to employ

§ Crawf. Offic. of State, 56.

alternately, and in their proper places, he added every day to the exorbitant power and wealth which he possessed.

He observed the growing reputation and authority of the prior of St. Andrews with the greatest jealousy and concern, and considered him as a rival who had engrossed that share in the queen's confidence, to which his own zeal for the popish religion seemed to give him a preferable title. Personal injuries soon increased the misunderstanding occasioned by rivalship in power. The queen determining to reward the services of the prior of St. Andrews, by creating him an earl, made choice of Mar, as the place from which he should take his title; and, that he might be better able to support his new honour, bestowed upon him at the same time the lands of that name. These were part of the royal demesnes *, but the earls of Huntly had been permitted for several years to keep possession of them †. On this occasion, the earl not only complained, with some reason, of the loss which he sustained, but had real cause to be alarmed at the intrusion of a formidable neighbour into the heart of his territories, who might be able to rival his power, and excite his oppressed vassals to shake off his yoke.

An incident which happened soon after, increased and confirmed Huntly's suspicions. Sir John Gordon, his third son, and lord Ogilvie, had a dispute about the property of an estate. This dispute became a deadly quarrel. They happened unfortunately to meet in the streets of Edinburgh, and being both attended with armed followers, a scuffle ensued, in which lord Ogilvie was dangerously wounded by sir John. The magistrates apprehended both the offenders, and the queen commanded them to be closely confined. Under any regular government, such a breach of public peace and order would expose the person offending to certain punishment. At this time some severity was necessary, in order to vindicate the queen's authority from an

* Crawf. Peer. 297. † Buch. 334.

inſult, the moſt heinous which had been offered to it ſince her return into Scotland. But, in an age accuſtomed to licence and anarchy, even this moderate exerciſe of her power, in ordering them to be kept in cuſtody, was deemed an act of intolerable ſeverity; and the friends of each party began to convene their vaſſals and dependents, in order to overawe, or to fruſtrate, the deciſions of juſtice *. Meanwhile Gordon making his eſcape out of priſon, and flying into Aberdeenſhire, complained loudly of the indignity with which he had been treated; and as all the queen's actions were, at this juncture, imputed to the earl of Mar, this added very much to the reſentment which Huntly had conceived againſt that nobleman.

At the very time when theſe paſſions fermented, with the greateſt violence, in the minds of the earl of Huntly and his family, the queen happened to ſet out on a progreſs into the northern parts of the kingdom. She was attended by the earls of Mar and Morton, Maitland, and other leaders of that party. The preſence of the queen in a country where no name greater than the earl of Huntly's had been heard of, and no power ſuperior to his had been exerciſed, for many years, was an event of itſelf abundantly mortifying to that haughty nobleman. But while the queen was entirely under the direction of Mar, all her actions were more apt to be miſrepreſented, and conſtrued into injuries; and a thouſand circumſtances could not but occur to awaken Huntly's jealouſy, to offend his pride, and to inflame his reſentment. Amidſt the agitations of ſo many violent paſſions, ſome eruption was unavoidable.

On Mary's arrival in the north, Huntly employed his wife, a woman capable of executing the commiſſion with abundance of dexterity, to ſoothe the queen, and to intercede for pardon to their ſon. But the queen peremptorily required that he ſhould again deliver himſelf into the hands of juſtice, and rely on her clemency.

* Keith, 423.

Gordon was perſuaded to do ſo; and being enjoined by the queen to enter himſelf priſoner in the caſtle of Stirling, he promiſed likewiſe to obey that command. Lord Erſkine, Mar's uncle, was at that time governor of this fort. The queen's ſeverity, and the place in which ſhe appointed Gordon to be confined, were interpreted to be new marks of Mar's rancour, and augmented the hatred of the Gordons againſt him.

Meantime ſir John Gordon ſet out towards Stirling; but, inſtead of performing his promiſe to the queen, made his eſcape from his guards, and returned to take the command of his followers, who were riſing in arms all over the north. Theſe were deſtined to ſecond and improve the blow, by which his father propoſed, ſecretly and at once, to cut off Mar, Morton, and Maitland, his principal adverſaries. The time and place for perpetrating this horrid deed were frequently appointed; but the executing of it was wonderfully prevented, by ſome of thoſe unforeſeen accidents which ſo often occur to diſconcert the ſchemes, and to intimidate the hearts of aſſaſſins *. Huntly's own houſe at Strathbogie was the laſt and moſt convenient ſcene appointed for committing the intended violence. But, on her journey thither, the queen heard of young Gordon's flight and rebellion, and refuſing, in the firſt tranſports of her indignation, to enter under the father's roof, by that fortunate expreſſion of her reſentment ſaved her miniſters from unavoidable deſtruction †.

The ill ſucceſs of theſe efforts of private revenge precipitated Huntly into open rebellion. As the queen was entirely under the direction of his rivals, it was impoſſible to work their ruin, without violating the allegiance which he owed his ſovereign. On her arrival at Inverneſs, the commanding officer in the caſtle, by Huntly's orders ſhut the gates againſt her. Mary

* Keith, 230. † Knox, 318.

was obliged to lodge in the town, which was open and defenceless; but this too was quickly surrounded by a multitude of the earl's followers ‡. The utmost consternation seized the queen, who was attended by a very slender train. She every moment expected the approach of the rebels, and some ships were already ordered into the river to secure her escape. The loyalty of the Monroes, Frazers, Mackintoshes, and some neighbouring clans, who took arms in her defence, saved her from this danger. By their assistance, she even forced the castle to surrender, and inflicted on the governor the punishment which his insolence deserved.

This open act of disobedience was the occasion of a measure more galling to Huntly than any the queen had hitherto taken. Lord Erskine having pretended a right to the earldom of Mar, Stewart resigned it in his favour; and at the same time Mary conferred upon him the title of earl of Murray, with the estate annexed to that dignity, which had been in possession of the earl of Huntly since the year 1548 †. From this he concluded that his family was devoted to destruction; and dreading to be stripped gradually of those possessions which, in reward of their services, the gratitude of the crown had bestowed on himself, or his ancestors, he no longer disguised his intentions, but, in defiance of the queen's proclamation, openly took arms. Instead of yielding those places of strength which Mary required him to surrender, his followers dispersed or cut in pieces the parties which she despatched to take possession of them ‡; and he himself advancing with a considerable body of men towards Aberdeen, to which place the queen was now returned, filled her small court with consternation. Murray had only a handful of men in whom she could confide §. In order to form the appearance of an army, he was obliged to call in the assistance of the neighbouring barons; but as

‡ Crawf. Offic. of State, 87, 88. † Crawf. Peer. 359.
‡ Knox, 319. § Keith, 230.

moſt of theſe either favoured Huntly's deſigns, or ſtood in awe of his power, from them no cordial or effectual ſervice could be expected.

With theſe troops, however, Murray, who could gain nothing by delay, marched briſkly towards the enemy. He found them at Corrichie, poſted to great advantage; he commanded his northern aſſociates inſtantly to begin the attack; but on the firſt motion of the enemy, they treacherouſly turned their backs; and Huntly's followers, throwing aſide their ſpears, and breaking their ranks, drew their ſwords, and ruſhed forward to the purſuit. It was then that Murray gave proof, both of ſteady courage and of prudent conduct. He ſtood immoveable on a riſing ground, with the ſmall but truſty body of his adherents, who preſenting their ſpears to the enemy, received them with a determined reſolution, which they little expected. The Highland broad ſword is not a weapon fit to encounter the Scottiſh ſpear. In every civil commotion, the ſuperiority of the latter has been evident, and has always decided the conteſt. On this occaſion the irregular attack of Huntly's troops was eaſily repulſed by Murray's firm battalion. Before they recovered from the confuſion occaſioned by this unforeſeen reſiſtance, thoſe who had begun the flight, willing to regain their credit with the victorious party, fell upon them, and completed the rout. Huntly himſelf, who was extremely corpulent, was trodden to death in the purſuit. His ſons, ſir John and Adam, were taken, and Murray returned in triumph to Aberdeen with his priſoners.

The trial of men taken in actual rebellion againſt their ſovereign was extremely ſhort. Three days after the battle, ſir John Gordon was beheaded at Aberdeen. His brother Adam was pardoned on account of his youth. Lord Gordon, who had been privy to his father's deſigns, was ſeized in the ſouth, and upon trial, found guilty of treaſon; but, through the queen's clemency, the puniſhment was remitted. The firſt parliament proceeded againſt this great family with the

utmoſt rigour of law, and reduced their power and fortune to the loweſt ebb *.

As the fall of the earl of Huntly is the moſt important event of this year, it would have been improper to interrupt the narrative by taking notice of leſſer tranſactions, which may now be related with equal propriety.

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* This conſpiracy of the earl of Huntly is one of the moſt intricate and myſterious paſſages of the Scottiſh hiſtory. As it was a tranſaction purely domeſtic, and in which the Engliſh were little intereſted, few original papers concerning it have been found in Cecil's collection, the great ſtorehouſe of evidence and information with regard to the affairs of this period.

Buchanan ſuppoſes Mary to have formed a deſign about this time of deſtroying Murray, and of employing the power of the earl of Huntly for this purpoſe. But his account of this whole tranſaction appears to be ſo void of truth, and even of probability, as to deſerve no ſerious examination. At that time Mary wanted power, and ſeems to have had no inclination to commit any act of violence upon her brother.

Two other hypotheſes have been advanced, in order to explain this matter, but they appear to be equally removed from truth.

I. It cannot well be conceived, that the queen's journey to the north was a ſcheme concerted by Murray, in order to ruin the earl of Huntly. 1. Huntly had reſided at court almoſt ever ſince the queen's return. Keith, 198. Append. 175, &c. This was the proper place in which to have ſeized him. To attack him in Aberdeenſhire, the ſeat of his power, and in the midſt of his vaſſals, was a project equally abſurd and hazardous. 2. The queen was not accompanied with a body of troops, capable of attempting any thing againſt Huntly by violence; her train was not more numerous than was uſual in times of greateſt tranquillity. Keith, 230. 3. There remain two original letters with regard to this conſpiracy, one from Randolph

In the beginning of the ſummer, Mary, who was deſirous of entering into a more intimate correſpondence and familiarity with Elizabeth, employed Maitland to deſire a perſonal interview with her, ſomewhere in the north of England. As this propoſal could not be rejected with decency, the time, the place, and the circumſtances of the meeting, were inſtantly agreed upon. But Elizabeth was prudent enough not to admit into

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the Engliſh reſident, and another from Maitland; both directed to Cecil. They talk of Huntly's meaſures as notoriouſly treaſonable. Randolph mentions his attempts to aſſaſſinate Murray, &c. No hint is given of any previous reſolution, formed by Mary's miniſters, to ruin Huntly and his family. Had any ſuch deſign ever exiſted, it was Randolph's duty to have diſcovered it, nor would Maitland have laboured to conceal it from the Engliſh ſecretary. Keith, 229, 233.

II. To ſuppoſe that the earl of Huntly had laid any plan for ſeizing the queen and her miniſters, ſeems to be leſs improbable. 1. On the queen's arrival in the north, he laboured, in good earneſt, to gain her favour, and to obtain a pardon for his ſon. Knox, 318. 2. He met the queen, firſt at Aberdeen, and then at Rothemay, whither he would not have ventured to come, had he harboured any ſuch treaſonable reſolution. Knox, 318. 3. His conduct was irreſolute and wavering, like that of a man diſconcerted by an unforeſeen danger, not like one executing a concerted plan. 4. The moſt conſiderable perſons of his clan ſubmitted to the queen, and found ſurety to obey her commands. Keith, 226. Had the earl been previouſly determined to riſe in arms againſt the queen, or to ſeize her miniſters, it is probable he would have imparted it to his principal followers, nor would they have deſerted him in this manner.

For theſe reaſons, we have, on the one hand, vindicated the earl of Murray from any deliberate intention of ruining the family of Gordon; and on the other

her kingdom a rival who outſhone herſelf ſo far in beauty and gracefulneſs of perſon; and who excelled ſo eminently in all the arts of inſinuation and addreſs. Under pretence of being confined to London, by the attention which ſhe was obliged to give to the civil wars in France, ſhe put off the interview for that ſeaſon *, and prevented her ſubjects from ſeeing the Scottiſh queen, the charms of whoſe appearance and behaviour ſhe envied, and had ſome reaſon to dread.

During this year, the aſſembly of the church met twice. In both theſe meetings were exhibited many complaints of the poverty and dependence of the church; and many murmurs againſt the negligence or avarice of thoſe who had been appointed to collect and to diſtribute the ſmall fund appropriated for the maintenance of preachers †. A petition, craving redreſs of their grievances, was preſented to the queen; but without any effect. There was no reaſon to expect that Mary would diſcover any forwardneſs to grant the requeſts of ſuch ſupplicants. As her miniſters, though all moſt zealous proteſtants, were themſelves growing rich on the inheritance of the church, they were equally regardleſs of the indigence and demands of their brethren.

Mary had now continued above two years in a ſtate of widowhood. Her gentle adminiſtration had ſecured the hearts of her ſubjects, who were impatient for her marriage, and wiſhed the crown to deſcend in the right line from their ancient monarchs. She herſelf was the moſt amiable woman of the age; and the fame of her accompliſhments, together with the favourable circumſtance of her having one kingdom already in her poſſeſſion, and the proſpect of mounting the throne of another, prompted many different princes to ſolicit an alliance ſo illuſtrious. Scotland, by its ſituation, threw ſo much weight and power into whatever ſcale it fell, that

hand, we have imputed the violent conduct of the earl of Huntly to a ſudden ſtart of reſentment, without charging him with any premeditated purpoſe of rebellion.

* Keith, 216. † Knox, 311, 323.

all Europe waited with ſolicitude for Mary's determination; and no event in that age excited ſtronger political fears and jealouſies; none intereſted more deeply the paſſions of ſeveral princes, or gave riſe to more contradictory intrigues, than the marriage of the Scottiſh queen.

The princes of the houſe of Auſtria remembered what vaſt projects the French had founded on their former alliance with the queen of Scots; and though the unexpected death, firſt of Henry and then of Francis, had hindered theſe from taking effect, yet if Mary ſhould again make choice of a huſband among the French princes, the ſame deſigns might be revived and proſecuted with better ſucceſs.

In order to prevent this, the emperor entered into a negotiation with the cardinal of Lorrain, who had propoſed to marry the Scottiſh queen to the archduke Charles, Ferdinand's third ſon. The matter was communicated to Mary; and Melvil, who at that time attended the elector palatine, was commanded to inquire into the character and ſituation of the archduke †.

Philip II. though no leſs apprehenſive of Mary's falling once more into the hands of France, envied his uncle Ferdinand the acquiſition of ſo important a prize; and as his own inſatiable ambition graſped at all the kingdoms of Europe, he employed his ambaſſador at the French court to ſolicit the princes of Lorrain in behalf of his ſon Don Carlos, at that time the heir of all the extenſive dominions which belonged to the Spaniſh monarchy ‡.

Catherine of Medicis, on the other hand, dreaded the marriage of the Scottiſh queen to any of the Auſtrian princes, which would have added ſo much to the power and pretenſions of that ambitious race. Her jealouſy of the princes of Lorrain rendered her no leſs averſe from an alliance, which, by ſecuring them the protection of the emperor or king of Spain, would give new bold-

† Melv. 63, 65. Keith, 239. See Append. VII.
‡ Caſteln. 461. Addit. a Labour 501, 503.

nefs to their enterprifing fpirit, and enable them to fet the power of the crown, which they already rivalled, at open defiance: and as fhe was afraid that thefe fplendid propofals of the Auftrian family would dazzle the young queen, fhe inftantly defpatched Caftlenau into Scotland, to offer her in marriage the duke of Anjou, the brother of her former hufband, who foon after mounted the throne of France†.

Mary attentively weighed the pretenfions of fo many rivals. The archduke had little to recommend him but his high birth. The example of Henry VIII. was a warning againft contracting a marriage with the brother of her former hufband; nor could fhe bear the thoughts of appearing in France, in a rank inferior to that which fhe had formerly held in that kingdom. She liftened therefore with partiality to the Spanifh propofitions, and the profpect of fuch vaft power and dominions flattered the ambition of a young and afpiring princefs.

Three feveral circumftances, however, concurred to divert Mary from any thoughts of a foreign alliance.

The firft of thefe was the murder of her uncle the duke of Guife. The violence and ambition of that nobleman had involved his country in a civil war, which was conducted with furious animofity, and various fuccefs. At laft the duke laid fiege to Orleans, the bulwark of the proteftant caufe; and he had reduced that city to the laft extremity, when he was affaffinated by the frantic zeal of Poltrot. This blow proved fatal to the queen of Scots. The young duke was a minor; and the cardinal, though fubtle and intriguing, wanted that undaunted and enterprifing courage which rendered the ambition of his brother fo formidable. Catherine, inftead of encouraging this ambition, or furthering the pretenfions, of her daughter-in-law, took pleafure in mortifying the one, and in difappointing the other. In this fituation, and without fuch a protector, it became neceffary for Mary to contract her views, and to pro-

† Caftelnau 461.

ceed with caution; and whatever prospect of advantage might allure her, she could venture upon no dangerous or doubtful measure.

The second circumstance which weighed with Mary, was the opinion of the queen of England. The marriage of the Scottish queen interested Elizabeth more deeply than any other prince; and she observed all her deliberations concerning it with the most anxious attention. She herself seems early to have formed a resolution of living unmarried, and she discovered no small inclination to impose the same law on the queen of Scots. She had already experienced what use might be made of Mary's power and pretensions to invade her dominions, and to disturb her possession of the crown. The death of Francis II. had happily delivered her from this danger, which she determined to guard against for the future with the utmost care. And as the restless ambition of the Austrian princes, the avowed and bigotted patrons of the catholic superstition, made her, in a particular manner, dread their neighbourhood, she instructed Randolph to remonstrate, in the strongest terms, against any alliance with them; and to acquaint Mary, that as she herself would consider such a match to be a breach of the personal friendship, in which they were so happily united, so the English nation would regard it as the dissolution of that confederacy which now subsisted between the two kingdoms. That, in order to preserve their own religion and liberties, they would in all probability take some step prejudicial to her right of succession, which, as she well knew, they neither wanted power nor pretences to invalidate and set aside. This threatening was accompanied with a promise, but expressed in very ambiguous terms, that if Mary's choice of a husband should prove agreeable to the English nation, Elizabeth would appoint proper persons to examine her title to the succession, and, if well founded, command it to be publicly recognised. She observed, however, a mysterious silence concerning the person on whom she wished the choice of the Scottish queen to fall. The revealing of this secret was reserved for some

future negotiation. Meanwhile she threw out some obscure hints, that a native of Britain, or one not of princely rank, would be her safest and most inoffensive choice‡. An advice offered with such an air of superiority and command mortified, no doubt, the pride of the Scottish queen. But, under her present circumstances, she was obliged to bear this indignity. Destitute of all foreign assistance, and intent upon the English succession, the great object of her wishes and ambition, it became necessary to court a rival, whom, without manifest imprudence, she should not venture to offend.

The inclination of her own subjects was another, and not the least considerable circumstance, which called for Mary's attention at this conjuncture. They had been taught by the fatal experiment of her former marriage, to dread an union with any great prince, whose power might be employed to oppress their religion and liberties. They trembled at the thoughts of a match with a foreigner; and if the crown should be strengthened by new dominions or alliances, they foresaw that the royal prerogative would soon be stretched beyond its ancient and legal limits. Their eagerness to prevent this could scarce fail of throwing them into the arms of England. Elizabeth would be ready to afford them her aid towards obstructing a measure so disagreeable to herself. It was easy for them to seize the person of the sovereign. By the assistance of the English fleet, they could render it difficult for any foreign prince to land in Scotland. The Roman catholics, now an inconsiderable party in the kingdom, and dispirited by the loss of the earl of Huntly, could give no obstruction to their designs. To what violent extremes the national abhorrence of a foreign yoke might have been carried, is manifest from the transactions both previous and subsequent to the present period.

For these reasons Mary laid aside, at that time, all thoughts of foreign alliance, and seemed willing to sacrifice her own ambition, in order to remove the jealou-

‡ Keith, 242, 245.

fies of Elizabeth, and to quiet the fears of her own subjects.

The parliament met this year, for the first time since the queen's return into Scotland. Mary's administration had hitherto been extremely popular. Her ministers possessed the confidence of the nation. And by consequence, the proceedings of that assembly were conducted with perfect unanimity. The grant of the earldom of Murray to the prior of St. Andrews was confirmed; the earl of Huntly, and several of his vassals and dependents, were attainted: the attainder against Kirkaldy of Grange, and some of his accomplices in the murder of cardinal Beatoun, was reversed*: the act of oblivion, mentioned in the treaty of Edinburgh, received the royal sanction. But Mary, who had determined never to ratify that treaty, took care that this sanction should not be deemed any acknowledgement of its validity; she granted her consent merely in condescension to the lords in parliament, who, on their knees, besought her to allay the jealousies and apprehensions of her subjects, by such a gracious law†.

No attempt was made, in this parliament, to procure the queen's assent to the laws establishing the protestant religion. Her ministers, though zealous protestants themselves, were aware that this could not be urged without manifest danger and imprudence. She had consented, through their influence, to tolerate and protect the reformed doctrine. They had even prevailed on her to imprison and prosecute the archbishop of St. Andrews, and prior of Whithorn, for celebrating mass contrary to her proclamation‖. Mary, however, was still passionately devoted to the Romish superstition; and though, from political motives, she had granted a temporary indulgence to opinions which she disapproved, there were no grounds to hope that she would agree to establish them for perpetuity. The moderation of those who professed it was the best method for reconciling

* Knox, 330. † Parl. 9. Q. Mary, c. 67. Spotf. 188.
‖ Keith, 239.

the queen to the proteſtant religion. Time might abate her bigotry. Her prejudices might wear off gradually, and at laſt ſhe might yield to the wiſhes of her people, what their importunity or their violence could never have extorted. Many laws of importance were to be propoſed in parliament; and to defeat all theſe, by ſuch a fruitleſs and ill-timed application to the queen, would have been equally injurious to individuals, and detrimental to the public.

The zeal of the proteſtant clergy was deaf to all theſe conſiderations of policy. Eager and impatient, it brooked no delay; ſevere and inflexible, it would condeſcend to no compliances. The leading men of that order inſiſted, that this opportunity of eſtabliſhing religion by law was not to be neglected. They pronounced the moderation of the courtiers, apoſtacy; and their endeavours to gain the queen, they reckoned criminal and ſervile: Knox ſolemnly renounced the friendſhip of the earl of Murray, as a man devoted to Mary, and ſo blindly zealous for her ſervice, as to become regardleſs of thoſe objects which he had hitherto eſteemed moſt ſacred. This rupture, which is a ſtrong proof of Murray's ſincere attachment to the queen at that period, continued above a year and an half †.

The preachers being diſappointed by the men in whom they placed the greateſt confidence, gave vent to their indignation in their pulpits. Theſe echoed more loudly than ever with declamations againſt idolatry; with diſmal preſages concerning the queen's marriage with a foreigner, and with bitter reproaches againſt thoſe who, from intereſted motives, had deſerted that cauſe which they once reckoned it their honour to ſupport. The people, inflamed by ſuch vehement declamations, which were dictated by a zeal more ſincere than prudent, proceeded to raſh and unjuſtifiable acts of violence. During the queen's abſence, on a progreſs into the weſt, maſs continued to be celebrated in her chapel at Holyrood-houſe. The multitude of thoſe who

openly resorted thither gave great offence to the citizens of Edinburgh, who, being free from the restraint which the royal presence imposed, assembled in a riotous manner, interrupted the service, and filled those present with the utmost consternation. Two of the ringleaders in this tumult were seized, and a day appointed for their trial †.

Knox, who deemed the zeal of these persons laudable, and their conduct meritorious, considered them as sufferers in a good cause; and in order to screen them from danger, he issued circular letters, requiring all who professed the true religion, or were concerned for the preservation of it, to assemble at Edinburgh, on the day of trial, and by their presence to comfort and assist their distressed brethren ‖. One of these letters fell into the queen's hands. To assemble the subjects without the authority of the sovereign was construed to be treason, and a resolution was taken to prosecute Knox for that crime, before the privy council. Happily for him, his judges were not only zealous protestants, but the very men who, during the late commotions, had openly resisted and set at defiance the queen's authority. It was under precedents drawn from their own conduct that Knox endeavoured to shelter himself. Nor would it have been an easy matter for these counsellors to have found out a distinction, by which they could censure him, without condemning themselves. After a long hearing, he was unanimously acquitted. Sinclair, bishop of Ross, and president of the court of session, a zealous papist, heartily concurred with the other counsellors in [illegible] decision ‡, a remarkable act, which shows the unsettled state of government in that age; the low condition to which legal authority was then sunk; and the impunity with which the subjects might invade those rights of the crown which are now held sacred.

The marriage of the Scottish queen continued still to be the object of attention and intrigue. Though Elizabeth, even while she wished to direct Mary, treated her

[illegible] 343.

with a disgustful reserve; though she kept her, without necessity, in a state of suspense; and hinted often at the person whom she destined to be her husband, without directly mentioning his name; yet Mary framed all her actions to express such a prudent respect for the English queen, that foreign princes began to imagine she had given herself up implicitly to her direction*. The prospect of this union alarmed Catherine of Medicis. Tho' Catherine had taken pleasure all along in doing ill offices to the queen of Scots; though, soon after the duke of Guise's death, she had put upon her a most mortifying indignity, by stopping the payment of her dowry, by depriving her subject the duke of Chatelherault of his pension, and by bestowing the command of the Scottish guards on a Frenchman†; she resolved, however, to prevent this dangerous conjunction of the British queens. For this purpose she now employed all her art to appease Mary‡, to whom she had given so many causes of offence. The arrears of her dowry were instantly paid; more punctual remittances were promised for the future; and offers made, not only to restore, but to extend the privileges of the Scottish nation in France. It was easy for Mary to penetrate into the motives of this sudden change; she well knew the character of her mother-in-law, and laid little stress upon professions of friendship which came from a princess of such a false and unfeeling heart.

The negotiation with England, relative to the marriage, suffered no interruption from this application of the French queen. As Mary, in compliance to her subjects, and pressed by the strongest motives of interest, determined speedily to marry, Elizabeth was obliged to break that unaccountable silence which she had hitherto affected. The secret was disclosed, and her favourite lord Robert Dudley, afterwards earl of Leicester, was declared to be the happy man whom she had chosen to be the husband of a queen courted by so many princes§.

* Keith, 248. † Ibid 244. ‡ See Append. No. VIII. § Keith, 251.

Elizabeth's wiſdom and penetration were remarkable in the choice of her miniſters; in diſtinguiſhing her favourites, thoſe great qualities were leſs conſpicuous. She was influenced in two caſes ſo oppoſite, by merit of very different kinds. Their capacity for buſineſs, their knowledge, their prudence, were the talents to which alone ſhe attended in chuſing her miniſters; whereas beauty and gracefulneſs of perſon, poliſhed manners, and courtly addreſs, were the accompliſhments on which ſhe beſtowed her favour. She acted in the one caſe with the wiſdom of a queen, in the other ſhe diſcovered the weakneſs of a woman. To this Leiceſter owed his grandeur. Though remarkable neither for eminence in virtue nor ſuperiority of abilities, the queen's partiality diſtinguiſhed him on every occaſion. She raiſed him to the higheſt honours, ſhe beſtowed on him the moſt important employments, and manifeſted an affection ſo diſproportionate to his merit, that, in the opinion of that age, it could be accounted for only by the power of planetary influence*.

The high ſpirit of the Scottiſh queen could not well bear the firſt overture of a match with a ſubject. Her own rank, the ſplendor of her former marriage, and the ſolicitations at this time of ſo many powerful princes, crowded into her thoughts, and made her ſenſibly feel how humbling and diſreſpectful Elizabeth's propoſal was. She diſſembled, however, with the Engliſh reſident; and though ſhe declared, in ſtrong terms, what a degradation ſhe would deem this alliance, which brought along with it no advantage that could juſtify ſuch neglect of her own dignity, ſhe mentioned the earl of Leiceſter, notwithſtanding, in terms full of reſpect†.

Elizabeth, we may preſume, did not wiſh that the propoſal ſhould be received in any other manner. After the extraordinary marks ſhe had given of her own attachment to Leiceſter, and while he was ſtill in the very height of favour, it is not probable ſhe could think ſeriouſly of beſtowing him upon another. It was not her

* Camden, 549. † Keith, 252.

aim to perſuade, but only to amuſe Mary‡. Almoſt three years were elapſed ſince her return into Scotland; and though ſolicited by her ſubjects, and courted by the greateſt princes in Europe, ſhe had hitherto been prevented from marrying, chiefly by the artifices of Elizabeth. And if at this time the Engliſh queen could have engaged Mary to liſten to her propoſal in favour of Leiceſter, her power over this creature of her own would have enabled her to protract the negotiation at pleaſure; and by keeping her rival unmarried, ſhe would have rendered the proſpect of her ſucceſſion leſs acceptable to the Engliſh.

Leiceſter's own ſituation was extremely delicate and embarraſſing. To gain poſſeſſion of the moſt amiable woman of the age, to carry away this prize from ſo many contending princes, to mount the throne of an ancient kingdom, might have flattered the ambition of a ſubject much more conſiderable than him. He ſaw all theſe advantages, no doubt, and, in ſecret, they made their full impreſſion on him. But, without offending Elizabeth, he durſt not venture on the moſt diſtant diſcovery of his ſentiments, or take any ſtep towards facilitating his acquiſition of objects ſo worthy of deſire.

On the other hand, Elizabeth's partiality towards him, which ſhe was at no pains to conceal*, might inſpire him with hopes of attaining the ſupreme rank in a kingdom more illuſtrious than Scotland. Elizabeth had often declared that nothing but her reſolution to lead a ſingle life, and his being born her own ſubject, would have hindered her from chuſing the earl of Leiceſter for a huſband. Such conſiderations of prudence are, however, often ſurmounted by love; and Leiceſter might flatter himſelf, that the violence of her affection would at length triumph both over the maxims of policy and the ſcruples of pride. Theſe hopes induced him, now and then, to conclude the propoſal of his marriage with the Scottiſh queen to be a project for his deſtruction; and he imputed it to the malice of Cecil, who, under

‡ Melv. 104, 105. * Ibid. 93, 94. † Ibid. 101.

the ſpecious pretence of doing him honour, intended to ruin him in the good opinion both of Elizabeth and Mary‡.

A treaty of marriage, propoſed by one queen who dreaded its ſucceſs; liſtened to by another, who was ſecretly determined againſt it; and ſcarcely deſired by the man himſelf, whoſe intereſt and reputation it was calculated, in appearance to promote; could not, under ſo many unfavourable circumſtances, be brought to a fortunate iſſue. Both Elizabeth and Mary continued, however, to act with equal diſſimulation. The former, notwithſtanding her fears of loſing Leiceſter, ſolicited warmly in his behalf. The latter, though ſhe began about this time to caſt her eyes upon another ſubject of England, did not at once venture finally to reject Elizabeth's favourite.

The perſon towards whom Mary began to turn her thoughts was Henry Stewart lord Darnly, eldeſt ſon of the earl of Lennox. That nobleman, having been driven out of Scotland under the regency of the duke of Chatelherault, had lived in baniſhment for twenty years. His wife, lady Margaret Douglas, was Mary's moſt dangerous rival in her claim upon the Engliſh ſucceſſion. She was the daughter of Margaret, the eldeſt ſiſter of Henry VIII. by the earl of Angus, whom that queen married after the death of her huſband James IV. In that age, the right and order of ſucceſſion was not ſettled with the ſame accuracy as at preſent. Time, and the deciſion of almoſt every caſe that can poſſibly happen, have at laſt introduced certainty into a matter, which naturally is ſubject to all the variety ariſing from the caprice of lawyers, guided by obſcure and often imaginary analogies. Lady Lennox, though born of a ſecond marriage, was one degree nearer the royal blood of England than Mary. She was the daughter, Mary only the grand daughter, of Margaret. This was not the only advantage over Mary which the lady Lennox enjoyed. She was born in England; and by a maxim

‡ Melv. 101.

of law in that country, with regard to private inheritances, "whoever is not born in England, or at least of parents who, at the time of his birth, were in the obedience of the king of England, cannot enjoy any inheritance in that kingdom*." This maxim, Hales, an English lawyer, produced in a treatise which he published at this time, and endeavoured to apply it to the right of succession to the crown. In a private cause, these pretexts might have given rise to a long and doubtful litigation; where a crown was at stake, such nice disputes and subtilties were to be avoided with the utmost care. If Darnly should happen to contract an alliance with any of the powerful families in England, or should publicly profess the protestant religion, these plausible and popular topics might be so urged, as to prove fatal to the pretensions of a foreigner and of a papist.

Mary was aware of all this; and, in order to prevent any danger from that quarter, had early endeavoured to cultivate a friendly correspondence with the family of Lennox. In the year 1562†, both the earl and the lady Margaret were taken into custody by Elizabeth's orders, on account of their holding a secret correspondence with the Scottish queen.

From the time that Mary became sensible of the difficulties which would attend her marrying a foreign prince, she entered into a still closer connexion with the earl of Lennox‡, and invited him to return into Scotland. This she endeavoured to conceal from Elizabeth; but a transaction of so much importance did not escape the notice of that discerning princess. She observed, but did not interrupt it. Nothing could fall in more perfectly with her views concerning Scottish affairs. She was pleased to see the pride of the Scottish queen stoop at last to the thoughts of taking a subject to her bed. Darnly was in no situation to excite her jealousy or her fears. His father's estate lay in England, and by means of this pledge she hoped to keep the negotiation entirely

* Carte, Hist. of Eng. vol. iii. 422. † Camd. 389.
‡ Ibid. 396.

in her own hands, to play the ſame game of artifice and delay which ſhe had planned out, if her recommendation of Leiceſter had been more favourably received.

As before the union of the two crowns, no ſubject of one kingdom could paſs into the other without the permiſſion of both ſovereigns; no ſooner did Lennox, under pretence of proſecuting his wife's claim upon the earldom of Angus, apply to Elizabeth for her licence to go into Scotland, than he obtained it. Together with it, ſhe gave him letters, warmly recommending his perſon and cauſe to Mary's friendſhip and protection*. But at the ſame time, as it was her manner to involve all her tranſactions with regard to Scotland in ſome degree of perplexity and contradiction, ſhe warned Mary, that this indulgence of Lennox might prove fatal to herſelf, as his return could not fail of reviving the ancient animoſity between him and the houſe of Hamilton.

This admonition gave umbrage to Mary, and drew from her an angry reply, which occaſioned for ſome time, a total interruption of all correſpondence between the two queens†. Mary was not a little alarmed at this; ſhe both dreaded the effects of Elizabeth's reſentment, and felt ſenſibly the diſadvantage of being excluded from a free intercourſe with England, where her ambaſſadors had, all along carried on, with ſome ſucceſs, ſecret negotiations, which increaſed the number of her partizans, and paved her way towards the throne. In order to remove the cauſes of the preſent difficulty, Melvil was ſent expreſs to the court of England. He found it no difficult matter to bring about a reconcilement, and ſoon re-eſtabliſhed the appearance, but not the confidence of friendſhip, which was all that had ſubſiſted, for ſome time, between the two queens.

During this negotiation, Elizabeth's profeſſions of love to Mary, and Melvil's replies in the name of his miſtreſs, were made in the language of the warmeſt and moſt cordial friendſhip. But what Melvil truly obſerves, with reſpect to Elizabeth, may be extended

* Keith, 255, 268. † Keith, 253. Melv. 83.

without injuftice to both queens. "There was neither plain dealing nor upright meaning, but great diffimulation, envy and fear ‡.

Lennox, however, in confequence of the licence which he had obtained, fet out for Scotland, and was received by the queen, not only with the refpect due to a nobleman, fo nearly allied to the royal family, but treated with a diftinguifhed familiarity, which could not fail of infpiring him with more elevated hopes. The rumour of his fon's marriage to the queen began to fpread over the kingdom; and the eyes of all Scotland, were turned upon him, as the father of their future mafter. The duke of Chatelherault was the firft to take the alarm. He confidered Lennox, as the ancient and hereditary enemy of the houfe of Hamilton; and, in his grandeur, faw the ruin of himfelf and his friends. But the queen interpofed her authority to prevent any violent rupture, and employed all her influence to bring about an accommodation of the differences*.

The powerful family of Douglas no lefs dreaded Lennox's return, from an apprehenfion that he would wreft the earldom of Angus out of their hands. But the queen, who well knew how dangerous it would be to irritate Morton, and other great men of that name, prevailed on Lennox to purchafe their friendfhip, by allowing his lady's claim upon the earldom of Angus to drop †.

After thefe preliminary fteps, Mary ventured to call a meeting of parliament. The act of forfeiture paffed againft Lennox in the year one thoufand five hundred and forty-five was repealed, and he was publicly reftored to the honours and eftate of his anceftors ‖.

The ecclefiaftical tranfactions of this year were not confiderable. In the affemblies of the church, the fame complaints of the increafe of idolatry, the fame reprefentations concerning the poverty of the clergy, were renewed. The reply which the queen made to thefe, and her promifes of redrefs, were more fatisfying

‡ Melv. 104. * Keith, 259. † Ibid. 268. Note (*c*.) ‖ See Append. No. IX.

to the proteſtants than any they had hitherto obtained †. But, notwithſtanding her declarations in their favour, they could not help harbouring many ſuſpicions concerning Mary's deſigns againſt their religion. She had never once conſented to hear any preacher of the reformed doctrine. She had abated nothing of her bigotted attachment to the Roman faith. The genius of that ſuperſtition, averſe at all times from toleration, was in that age fierce and unrelenting. Mary had given her friends on the continent repeated aſſurances of her reſolution to eſtabliſh the catholic church ‖. She had induſtriouſly avoided every opportunity of ratifying the acts of parliament, one thouſand five hundred and ſixty, in favour of the Reformation. Even the protection which, ever ſince her return, ſhe had afforded the proteſtant religion, was merely temporary, and declared, by her own proclamation, to be of force only "till ſhe ſhould take ſome final order in the matter of religion ¶." The vigilant zeal of the preachers was inattentive to none of theſe circumſtances. The coldneſs of their principal leaders, who were at this time entirely devoted to the court, added to their jealouſies and fears. Theſe they uttered to the people, in language which they deemed ſuitable to the neceſſity of the times, and which the queen reckoned diſreſpectful and inſolent. In a meeting of the general aſſembly, Maitland publicly accuſed Knox of teaching ſeditious doctrine, concerning the right of ſubjects to reſiſt thoſe ſovereigns who treſpaſs againſt the duty which they owe to the people. Knox was not backward to juſtify what he had taught; and upon this general doctrine of reſiſtance, ſo juſt in its own nature, but ſo delicate in its application to particular caſes, there enſued a debate, which admirably diſplays the talents and character of both the diſputants; the acuteneſs of the former, embelliſhed with learning, but prone to ſubtlety; the vigorous under-

† Keith, 533, 539. ‖ Carte, vol. iii. 415.
¶ Keith, 504, 510.

ſtanding of the latter, delighting in bold ſentiments, and ſuperior to all fear*.

Two years had already been conſumed in fruitleſs negotiations concerning the marriage of the Scottiſh queen. Mary had full leiſure and opportunity to diſcern the fallacy and deceit of all Elizabeth's proceedings with reſpect to that affair. But, in order to ſet the real intentions of the Engliſh queen in a fair light, and to bring her to ſome explicit declaration of her ſentiments, Mary at laſt intimated to Randolph, that, on condition her right of ſucceſſion to the crown of England were publicly acknowledged, ſhe was ready to yield to the ſolicitations of his miſtreſs in behalf of Leceiſter ¶. Nothing could be farther than this from the mind and intention of Elizabeth. The right of ſucceſſion was a myſtery, which, during her whole reign, her jealouſy preſerved untouched and unexplained. She had promiſed, however, when ſhe firſt began to intereſt herſelf in the marriage of the Scottiſh queen, all that was now demanded. How to retreat with decency, how to elude her former offer, was, on that account, not a little perplexing.

The facility with which lord Darnly obtained permiſſion to viſit the court of Scotland, was owing, in all probability, to that embarraſſment. From the time of Melvil's embaſſy, the counteſs of Lennox had warmly ſolicited this liberty for her ſon. Elizabeth was no ſtranger to the ambitious hopes with which that young nobleman flattered himſelf. She had received repeated advices from her miniſters of the ſentiments which Mary began to entertain in his favour‡. It was entirely in her power to prevent his ſtirring out of London. In the preſent conjuncture, however, nothing could be of more advantage to her than Darnly's journey into Scotland. She had already brought one actor upon the ſtage, who, under her management, had, for a long time amuſed the Scottiſh queen. She hoped no

* Knox, 349. ¶ Keith, 269.
‡ Keith, 259, 261, 266.

leſs abſolutely to direct the motions of Darnly, who was likewiſe her ſubject; and again to involve Mary in all the tedious intricacies of negotiation. Theſe motives determined Elizabeth and her miniſters to yield to the ſolicitations of the lady Lennox.

But this deep-laid ſcheme was in a moment diſconcerted. Such unexpected events, as the fancy of poets aſcribes to love, are at ſome times really produced by that paſſion. An affair which had been the object of ſo many political intrigues, and had moved and intereſted ſo many princes, was at laſt decided by the ſudden liking of two young perſons. Lord Darnly was at this time in the firſt bloom and vigour of youth. In beauty and gracefulneſs of perſon he ſurpaſſed all his contemporaries; he excelled eminently in thoſe arts which add eaſe and elegance to external form, and which enabled it not only to dazzle, but to pleaſe. Mary was of an age, and of a temper, to feel the full power of theſe accompliſhments. The impreſſion which lord Darnly made upon her was viſible from the time of their firſt interview. The whole buſineſs of the court was to amuſe and entertain this illuſtrious gueſt †; and in all thoſe ſcenes of gaiety, Darnly, whoſe qualifications were altogether ſuperficial and ſhowy, appeared to great advantage. His conqueſt of the queen's heart became complete; and inclination now prompted her to conclude a marriage, the firſt thoughts of which had been ſuggeſted by conſiderations merely political.

Elizabeth contributed, and perhaps not without deſign, to increaſe the violence of this paſſion. Soon after Darnly's arrival in Scotland, ſhe, in return to that meſſage whereby Mary had ſignified her willingneſs to accept of Leiceſter, gave an anſwer, in ſuch terms as plainly unravelled her original intention in that intrigue ¶. She promiſed, if the Scottiſh queen's marriage with Leiceſter ſhould take place, to advance him to great honours; but with regard to Mary's title to

† Knox, 369. ¶ Keith, 270. App. 158.

the Engliſh ſucceſſion, ſhe would neither ſuffer any legal inquiry to be made concerning it, nor permit it to be publicly recogniſed, until ſhe herſelf ſhould declare her reſolution never to marry. Mary, notwithſtanding Elizabeth's former promiſes, had reaſon to expect every thing contained in this reply; her high ſpirit, however, could not bear with patience ſuch a cruel diſcovery of the contempt, the artifice, and mockery, with which, under the vail of friendſhip, ſhe had been ſo long abuſed. She burſt into tears of indignation, and expreſſed, with the utmoſt bitterneſs, her ſenſe of that diſingenuous craft which had been employed to deceive her‖.

The natural effect of this indignation was to add to the impetuoſity with which ſhe purſued her own ſcheme. Blinded by reſentment as well as by love, ſhe obſerved no defects in the man ſhe had choſen; and began to take the neceſſary ſteps towards accompliſhing her deſign, with all the impatience natural to thoſe paſſions.

As Darnly was ſo nearly related to the queen, the canon law made it neceſſary to obtain the pope's diſpenſation before the celebration of the marriage. For this purpoſe ſhe early ſet on foot a negotiation with the court of Rome†.

She was buſy, at the ſame time, in procuring the conſent of the French king and his mother. Having communicated her deſign, and the motives which determined her choice, to Caſtelnau the French ambaſſador, ſhe employed him as the moſt proper perſon, to bring his court to fall in with her views. Among other arguments to this purpoſe, Caſtelnau mentioned Mary's attachments to Darnly, which he repreſented to be ſo violent and deep-rooted, that it was no longer in her own power to break off the match‡. Nor were the French miniſters backward in encouraging Mary's paſſion. Her pride would never ſtoop to an alliance with a ſubject of France. By this choice they were delivered from the apprehenſion of a match with any of the Auſtrian princes, as well as the danger of too cloſe an union with Eli-

‖ Keith, Append. 159. † Camd. 396. ‡ Caſteln. 464.

zabeth; and as Darnly professed the Roman catholic religion, this suited the bigotted schemes which that court adopted.

While Mary was endeavouring to reconcile foreign courts to a measure which she had so much at heart; Darnly and his father, by their behaviour, were raising up enemies at home to obstruct it. Lennox had, during the former part of his life, discovered no great compass of abilities or political wisdom; and appears to have been a man of a weak understanding and violent passions. Darnly was not superior to his father in understanding, and all his passions were still more impetuous*. To these he added that insolence, which the advantage of external form, when accompanied with no quality more valuable, is apt to inspire. Intoxicated with the queen's favour, he began already to assume the haughtiness of a king, and to put on that imperious air, which majesty itself can scarce render tolerable.

It was by the advice, or at least with the consent of Murray and his party, that Lennox had been invited into Scotland†: and yet, no sooner did he acquire a firm footing in that kingdom, than he began to enter into secret cabals with those noblemen who were known to be avowed enemies to Murray, and with regard to religion, to be either neutrals or favourites of popery‡. Darnly, still more imprudent, allowed some rash expressions concerning those favours which the queen's bounty had conferred upon Murray to escape him §.

But, above all these, the familiarity which Darnly cultivated with David Rizio, contributed to increase the suspicion and disgust of the nobles.

The low birth and indigent condition of this man placed him in a station in which he ought naturally to have remained unknown to posterity. But what fortune called him to act and to suffer in Scotland, obliges history to descend from its dignity, and to record his adventures. He was the son of a musician in Turin, and

* Keith, 272, 273. † Knox, 367. Keith, 274.
‡ Keith, 272. § Keith, 274.

having accompanied the Piedmontese ambassador into Scotland, gained admission into the queen's family by his skill in music. As his servile condition had taught him suppleness of spirit and insinuating manners, he quickly crept into the queen's favour, and her French secretary happening to return at that time into his own country, was preferred by her to that office. He now began to make a figure in court, and to appear as a man of consequence. The whole train of suitors and expectants, who have an extreme sagacity in discovering the paths which lead most directly to success, applied to him. His recommendations were observed to have great influence over the queen, and he grew to be considered not only as a favourite, but as a minister. Nor was Rizio careful to abate that envy which always attends such an extraordinary and rapid change of fortune. He studied, on the contrary, to display the whole extent of his favour. He affected to talk often and familiarly with the queen in public. He equalled the greatest and most opulent subjects, in richness of dress, and in the number of his attendants. He discovered, in all his behaviour, that assuming insolence, with which unmerited prosperity inspires an ignoble mind. It was with the utmost indignation that the nobles beheld the power; it was with the utmost difficulty that they tolerated the arrogance, of this unworthy minion. Even in the queen's presence they could not forbear treating him with marks of contempt. Nor was it his exorbitant power alone which exasperated the Scots. They considered him, and not without reason, as a dangerous enemy to the protestant religion, and suspected that he held, for this purpose, a secret correspondence with the court of Rome *.

It was Darnly's misfortune to fall under the management of this man, who, by flattery and assiduity, easily gained on his vanity and inexperience. Rizio's whole influence on the queen was employed in his behalf, and contributed, without doubt, towards establish-

* Buchan. 340. Melv. 107.

ing him more firmly in her affections†. But whatever benefit Darnly might reap from his patronage, it did not counterbalance the contempt, and even infamy, to which he was exposed, on account of his familiarity with such an upstart.

Though Darnly daily made progress in the queen's affections, she conducted herself, however, with such prudent reserve, as to impose on Randolph the English resident, a man otherwise shrewd and penetrating. It appears from his letters at this period, that he entertained not the least suspicion of the intrigue which was carrying on; and gave his court repeated assurances, that the Scottish queen had no design of marrying Darnly‡. In the midst of this security, Mary despatched Maitland to signify her intention to Elizabeth, and to solicit her consent to the marriage with Darnly. This embassy was the first thing which opened the eyes of Randolph.

Elizabeth affected the greatest surprise at this sudden resolution of the Scottish queen, but without reason. The train was laid by herself, and she had no cause to wonder when it took effect. She expressed at the same time her disapprobation of the match, in the strongest terms; and pretended to foresee many dangers and inconveniencies arising from it, to both kingdoms. But this too was mere affectation, Mary had often and plainly declared her resolution to marry. It was impossible she could make any choice more inoffensive. The danger of introducing a foreign interest into Britain which Elizabeth had so justly dreaded, was entirely avoided. Darnly, though allied to both crowns, and possessed of lands in both kingdoms, could be formidable to neither. It is evident from all these circumstances, that Elizabeth's apprehensions of danger could not possibly be serious; and that in all her violent declarations against Darnly, there was much more of grimace than of reality *.

† Melv. 111. ‡ Keith, 273, and Append. 159.

* Even the historians of that age acknowledge, that the marriage of the Scottish queen with a subject was far

There were not wanting, however, political motives of such weight, to induce that wise princess to put on the appearance of great displeasure. Mary intimidated by this, might perhaps delay her marriage; which Elizabeth desired to obstruct with a weakness that little suited the dignity of her mind and the elevation of her character. Besides, the tranquillity of her own kingdom was the great object of Elizabeth's policy; and by declaring her dissatisfaction with Mary's conduct, she hoped to alarm that party in Scotland, which was attached to the English interest, and to encourage such of the nobles as secretly disapproved the match openly to oppose it. The seeds of discord would by this means be scattered through that kingdom. Intestine commotions might arise. Amidst these Mary could form none of those dangerous schemes to which the union of her people might have prompted her. She would become the umpire between Mary and her contending subjects; and England might look on with security, while a storm, which she had raised, wasted the only kingdom which could possibly disturb its peace.

In prosecution of this scheme, she laid before her privy council the message from the Scottish queen, and consulted them with regard to the answer she should return. Their determination, it is easy to conceive, was perfectly conformable to her secret views. They drew up a remonstrance against the intended match, full of the imaginary dangers with which that event threatened the kingdom†. Nor did she think it enough to signify her disapprobation of the measure, either by Maitland,

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from being disagreeable to Elizabeth. Knox, 369, 373. Buchan. 339. Castelnau, who at that time was well acquainted with the intrigues of both the British courts, asserts, upon grounds of great probability, that the match was wholly Elizabeth's own work: Casteln. 462. and that she rejoiced at the accomplishment of it, appears from the letters of her own ambassadors. Keith, 280, 288.

† Keith, 274. See Append. No. X.

Mary's ambaſſador, or by Randolph, her own reſident in Scotland; in order to add more dignity to the farce which ſhe choſe to act, ſhe appointed ſir Nicholas Throkmorton her ambaſſador extraordinary. She commanded him to declare, in the ſtrongeſt terms, her diſſatisfaction with the ſtep which Mary propoſed to take; and at the ſame time to produce the determination of the privy council, as an evidence that the ſentiments of the nation were not different from her own. Not long after, ſhe confined lady Lennox as a priſoner, firſt in her own houſe, and then ſent her to the Tower*.

Intelligence of all this reached Scotland before the arrival of the Engliſh ambaſſador. In the firſt tranſports of her indignation, Mary reſolved no longer to keep any meaſures with Elizabeth; and ſent orders to Maitland, who accompanied Throkmorton, to return inſtantly to the Engliſh court, and in her name to declare to Elizabeth, that after having been amuſed ſo long to ſo little purpoſe; after having been fooled, and impoſed on ſo groſsly by her artifices; ſhe was now reſolved to gratify her own inclination, and to aſk no other conſent, but that of her own ſubjects, in the choice of an huſband. Maitland, with his uſual ſagacity, foreſaw all the effects of ſuch a raſh and angry meſſage, and ventured rather to incur the diſpleaſure of his miſtreſs, by diſobeying her commands, than to be made the inſtrument of tearing aſunder ſo violently the few remaining ties which ſtill linked together the two queens†.

Mary herſelf ſoon became ſenſible of her error. She received the Engliſh ambaſſador with reſpect: juſtified her own conduct with decency; and though unalterable in her reſolution, ſhe affected a wonderful ſolicitude to reconcile Elizabeth to the meaſure; and even pretended, out of complaiſance towards her, to put off the conſummation of the marriage for ſome months‡. It is probable, however, that the want of the pope's diſpenſation, and the proſpect of gaining the conſent of her own ſubjects, were the real motives of this delay.

* Keith, Append. 161. † Ibid. 160. ‡ Keith, 278.

This consent Mary laboured with the utmost industry to obtain. The earl of Murray was the person in the kingdom whose concurrence was of the greatest importance; but she had reason to fear that it would not be procured without extreme difficulty. From the time of Lennox's return into Scotland, Murray perceived that the queen's affections began gradually to be estranged from him. Darnly, Athol, Rizio, all the court favourites, combined against him. His ambitious spirit could not brook this diminution of his power, which his former services had so little merited. He retired into the country, and gave way to rivals, with whom he was unable to contend ‖. The return of the earl of Bothwell, his avowed enemy, who had been accused of a design upon his life, and who had resided for some time in foreign countries, obliged him to attend to his own safety. No intreaty of the queen could persuade him to a reconcilement with that nobleman. He insisted on having him brought to a public trial, and prevailed, by his importunity, to have a day fixed for it. Bothwell durst not appear in opposition to a man, who came to the place of trial attended by five thousand of his followers on horseback. He was once more constrained to leave the kingdom; but, by the queen's command, the sentence of outlawry, which is incurred by non-appearance, was not pronounced against him *.

Mary, sensible, at the same time, of how much importance it was to gain a subject so powerful and so popular as the earl of Murray, invited him back to court, and received him with many demonstrations of respect and confidence. At last she desired him to set an example to her other subjects, by subscribing a paper containing a formal approbation of her marriage with Darnly. Murray had many reasons to hesitate, and even to withhold his assent. Darnly had not only undermined his credit with the queen, but discovered, on every occasion, a rooted aversion to his person. By consenting to his e-

‖ Keith, 272, 274. Append. 159.
* Keith, Append. 160.

levation to the throne, he would give him ſuch an acceſſion of dignity and power, as no man willingly beſtows on an enemy. The unhappy conſequences which might follow upon a breach with England were likewiſe of conſiderable weight with Murray. He had always openly preferred a confederacy with England, before the ancient alliance with France. By his means, chiefly, this change in the ſyſtem of national politics had been brought about. A league with England had been eſtabliſhed; and he could not think of ſacrificing, to a raſh and youthful paſſion, an alliance of ſo much utility to the kingdom; and which he and the other nobles were bound, by every obligation, to maintain †. Nor was the intereſt of religion forgotten on this occaſion. Mary, though ſurrounded by proteſtant counſellors, had found means to hold a dangerous correſpondence with foreign catholics. She had even courted the pope's protection, who had ſent her a ſubſidy of eight thouſand crowns ‡. Though Murray had hitherto endeavoured to bridle the zeal of the reformed clergy, and to ſet the queen's conduct in the moſt favourable light, yet her obſtinate adherence to her own religion could not fail of alarming him, and by her reſolution to marry a papiſt, the hope of reclaiming her, by an union with a proteſtant, was for ever cut off §. Each of theſe conſiderations had its influence on Murray, and all of them determined him to decline complying at that time with the queen's requeſt.

The convention of nobles, which was aſſembled a few days after, diſcovered a greater diſpoſition to gratify the queen. Many of them, without heſitation, expreſſed their approbation of the intended match; but as others were ſtartled at the ſame dangers which had alarmed Murray, or were influenced by his example to refuſe their conſent, another convention was appointed at Perth, in order to deliberate more fully concerning this matter *.

† Keith, 269. ‡ Ibid 29[illegible]. Melv. 114.
§ Keith, Append. 160. * Keith, 283. Knox, 373.

Mean while Mary gave a public evidence of her own inclination, by conferring upon Darnly titles of honour peculiar to the royal family. The opposition she had hitherto met with, and the many contrivances employed to thwart and disappoint her inclination, produced their usual effect on her heart, they confirmed her passion, and increased its violence. The simplicity of that age imputed an affection so excessive to the influence of witchcraft *. It was owing, however, to no other charm, than the irresistible power of youth and beauty over a young and tender heart. Darnly grew giddy with his prosperity. Flattered by the love of a queen, and the applause of many among her subjects, his natural haughtiness and insolence became insupportable, and he could no longer bear advice, far less contradiction. Lord Ruthven, happening to be the first person who informed him that Mary, in order to soothe Elizabeth, had delayed for some time creating him duke of Albany, he, in a frenzy of rage, drew his dagger, and attempted to stab him †. It required all Mary's attention, to prevent his falling under that contempt to which such behaviour deservedly exposed him.

In no scene of her life was ever Mary's own address more remarkably displayed. Love sharpened her invention, and made her study every method of gaining her subjects. Many of the nobles she won by her address, and more by her promises. On some she bestowed lands, to others she gave new titles of honour ‡. She even condescended to court the protestant clergy; and having invited three of their superintendants to Stirling, she declared, in strong terms, her resolution to protect their religion, expressed her willingness to be present at a conference upon the points in doctrine which were disputed between the protestants and papists, and went so far as to shew some desire to hear such of their preachers as were most remarkable for their moderation §. By these arts the queen gained wonderfully upon the peo-

* Keith, 283. † Ibid. Append. 160.
‡ Keith, 283. § Knox, 373.

ple, who, unlefs their jealoufy be raifed by repeated injuries, are always ready to view the actions of their fovereign with an indulgent eye.

On the other hand, Murray and his affociates were plainly the dupes of Elizabeth's policy. She talked in fo high a ftrain of her difpleafure at the intended match; fhe treated lady Lennox with fo much rigour; fhe wrote to the Scottifh queen in fuch ftrong terms; fhe recalled the earl of Lennox and his fon in fuch a peremptory manner, and with fuch fevere denunciations of her vengeance if they fhould prefume to difobey †; that all thefe expreffions of averfion fully perfuaded them of her fincerity. This belief fortified their fcruples with refpect to the match, and encouraged them to oppofe it. They began with forming among themfelves bonds of confederacy and mutual defence; they entered into a fecret correfpondence with the Englifh refident, in order to fecure Elizabeth's affiftance when it fhould become needful ‖; they endeavoured to fill the nation with fuch apprehenfions of danger as might counterbalance the influence of thofe arts which the queen had employed.

Befides thefe intrigues, there were fecretly carried on by both parties dark defigns of a more criminal nature, and more fuited to the fpirit of the age. Darnly, impatient of that oppofition which he imputed wholly to Murray, and refolving at any rate to get rid of fuch a powerful enemy, formed a plot to affaffinate him, during the meeting of the convention at Perth. Murray, on his part, defpairing of preventing the marriage by any other means, had, together with the duke of Chatelherault, and the earl of Argyll, concerted meafures for feizing Darnly, and carrying him a prifoner into England.

If either of thefe confpiracies had taken effect, this convention might have been attended with confequences extremely tragical; but both were rendered

† Keith, 285, 286. ‖ Ibid. 289, 292, 298.

abortive, by the vigilance or good fortune of those against whom they were formed. Murray, being warned of his danger by some retainers to the court, who still favoured his interest, avoided the blow by not going to Perth. Mary receiving intelligence of Murray's enterprise, retired with the utmost expedition, along with Darnly, to the other side of Forth. Conscious, on both sides, of guilt, and inflamed with resentment, it was impossible they could either forget the violence which themselves had meditated, or forgive the injuries intended against them. From that moment all hope of reconcilement was at an end, and their mutual enmity burst out with every sympton of implacable hatred *.

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* The reality of these two opposite conspiracies has given occasion to many disputes and much contradiction. Some deny that any design was formed against the life of Murray; others call in question the truth of the conspiracy against Darnly. There seem, however to be plausible reasons for believing that there is some foundation for what has been asserted with regard to both; though the zeal and credulity of party-writers have added to each many exaggerated circumstances. The following arguments render it probable that some violence was intended against Murray:

I. This is positively asserted by Buchanan, 341. 2. The English resident writes to Cecil, that Murray was assuredly informed that a design was formed of murdering him at Perth, and mentions various circumstances concerning the manner in which the crime was to be committed. If the whole had been a fiction of his own, or of Murray, it is impossible that he could have written in this strain to such a discerning minister. Keith, 287. 3. Murray himself constantly and publicly persisted in affirming that such a design was formed against his life. Keith, Append. 108. He was required by the queen to transmit in writing an account of the conspiracy which he pretended had been formed against his life. This he did accordingly; but "when it was

On Mary's return to Edinburgh, she summoned her vassals by proclamation, and solicited them by her letters, to repair thither in arms, for the protection of her person against her foreign and domestic enemies *. She was obeyed with all the promptness and alacrity with which subjects run to defend a mild and popular administration. This popularity, however, she owed in a great measure to Murray, who had directed her administration with great prudence. But the crime of opposing her marriage obliterated the memory of his

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brought to her majesty by her servants sent for that purpose, it appears, *be* her highness and her council, that his purgation in that behalf was not so sufficient as the matter required." Keith, Append. 109. He was therefore summoned to appear within three days before the queen in Holyrood-house; and in order to encourage him to do so, a safe conduct was offered to him. Ibid. Though he had once consented to appear, he afterwards declined to do so. But whoever considers Murray's situation, and the character of those who directed Mary's councils at that time, will hardly deem it a decisive proof of his guilt, that he did not chuse to risk his person to such security. 4. The furious passions of Darnly, the fierceness of his resentment, which scrupled at no violence, and the manners of the age, rendered the imputation of such a crime less improbable.

II. That Murray and his associates had resolved to seize Darnly in his return from Perth, appears with still greater certainty; 1. From the express testimony of Melvil, 112.; although Buchanan, p. 341. and Knox, p. 377. affect without reason to represent this as an idle rumour. 2. The question was put to Randolph, Whether the governor of Berwick would receive Lennox and his son, if they were delivered at that place? His answer was, "that they would not refuse their own, *i. e.* their own subjects, in whatsoever sort they come unto us, *i. e.* whether they had returned to

* Keith, 298.

former services; and Mary, impatient of contradiction, and apt to consider those who disputed her will as enemies to her person, determined to let him feel the whole weight of her vengeance. For this purpose she summoned him to appear before her upon a short warning, to answer to such things as should be laid to his charge ‡. At this very time Murray, and the lords

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England voluntarily, as they had been required, or were brought thither by force." This plainly shews, that some such design was in hand, and Randolph did not discourage it by the answer which he gave. Keith, 290. 3. The precipitation with which the queen retired, and the reason she gave for this sudden flight, are mentioned by Randolph. Keith, 291. 4. A great part of the Scottish nobles, and among these the earls of Argyll and Rothes, who were themselves privy to the design, assert the reality of the conspiracy. Good. vol. ii. 358.

All these circumstances render the truth of both conspiracies probable. But we may observe how far this proof, though drawn from public records, falls short, on both sides, of legal and formal evidence. Buchanan and Randolph, in their accounts of the conspiracy against Murray, differ widely in almost every circumstance. The accounts of the attempt upon Darnly are not more consistent. Melvil alleges that the design of the conspirators was to carry Darnly a prisoner into England; the proposal made to Randolph agrees with this. Randolph says, that they intended to carry the queen to St. Andrews, and Darnly to Castle Campbell. The lords, in their declaration, affirm the design of the conspirators to have been to murder Darnly and his father, to confine the queen in Lochleven during life, and to usurp the government. To believe implicitly whatever they find in an ancient paper, is a folly to which, in every age, antiquaries are extremely prone. Ancient papers, however, often contain no more than the slanders of a party, and the lie of the day. The

who adhered to him, were assembled at Stirling, to deliberate what course they should hold in such a difficult conjuncture. But the current of popular favour ran so strongly against them, and notwithstanding some fears and jealousies, there prevailed in the nation such a general disposition to gratify the queen in a matter which so nearly concerned her, that, without coming to any other conclusion, than to implore the queen of England's protection, they put an end to their ineffectual consultations, and returned every man to his own house.

Together with this discovery of the weakness of her enemies, the confluence of her subjects from all corners of the kingdom afforded Mary an agreeable proof of her own strength. While the queen was in this prosperous situation, she determined to bring to a period an affair which had so long engrossed her heart and occupied her attention. On the twenty-ninth of July, 1565, she married Stewart lord Darnly. The ceremony was performed in the queen's chapel, according to the rites of the Romish church; the pope's bull dispensing with their marriage having been previously obtained ¶. She issued at the same time proclamations, conferring

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declaration of the nobles referred to, is of this kind; it is plainly rancorous, and written in the very heat of faction. Many things asserted in it are evidently false or exaggerated. Let Murray and his confederates be as ambitious as we can suppose, they must have had some pretences, and plausible ones too, before they could venture to imprison their sovereign for life, and to seize the reins of government; but, at that time, the queen's conduct had afforded no colourable excuse for proceeding to such extremities. It is likewise remarkable, that in all the proclamations against Murray, of which so many are published in Keith, Appendix 108, &c. neither the violent attempt upon Darnly, nor that which he is alleged to have formed against the queen herself, are ever once mentioned.

¶ Keith, 307.

the title of king of Scots upon her hufband, and commanding that henceforth all writs at law fhould run in the joint names of king and queen †. Nothing can be a ftronger proof of the violence of Mary's love, or the weaknefs of her councils, than this laft ftep. Whether fhe had any right to chufe a hufband without confent of parliament, was, in that age a matter of fome difpute ‡, that fhe had no right to confer upon him, by her private authority, the title and dignity of king, or by a fimple proclamation to raife her hufband to be the mafter of her people, feems to be beyond all doubt. Francis II. indeed bore the fame title. It was not, however, the gift of the queen, but of the nation; and the confent of parliament was obtained before he ventured to affume it. Darnly's condition, as a fubject, rendered it ftill more neceffary to have the concurrence of the fupreme council in his favour. Such a violent and unprecedented ftretch of prerogative, as the fubftituting a proclamation in place of an act of parliament, might have juftly alarmed the nation. But the queen poffeffed fo entirely the confidence of her fubjects, that, notwithftanding all the clamours of the malecontents, no fymptoms of general difcontent appeared on that account.

Even amidft the fcene of joy which always accompanies fuccefsful love, Mary did not fuffer the courfe of her vengeance againft the malecontent nobles to be interrupted. Three days after the marriage, Murray was again fummoned to court, under the fevereft penalties, and upon his non-appearance the rigour of juftice took place, and he was declared an out-law §. At the fame time the queen fet at liberty lord Gordon, who ever fince his father's infurrection in the year 1562, had been detained a prifoner; fhe recalled the earl of Sutherland, who, on account of his concern in that confpiracy, had fled into Flanders; and fhe permitted Bothwell to return again into Scotland. The firft and

† Anderfon, i. 33. See Append. No. XI.
‡ Buchan. 341. § Keith. 309. 320.

last of these were among the most powerful subjects in the kingdom, and all of them animated with implacable hatred to Murray, whom they deemed the enemy of their families, and the author of their own sufferings. This common hatred became the foundation of the strictest union with the queen, and gained them an ascendant over all her councils. Murray himself considered this confederacy with his avowed enemies as a more certain indication than any measure she had yet taken, of her inexorable resentment.

The malecontents had not yet openly taken up arms*. But the queen having ordered her subjects to march against them, they were driven to the last extremity. They found themselves unable to make head against the numerous forces which Mary had assembled; and fled into Argyleshire, in expectation of aid from Elizabeth, to whom they had secretly despatched a messenger, in order to implore her immediate assistance ¶.

Mean while, Elizabeth endeavoured to embarrass Mary, by a new declaration of disgust at her conduct. She blamed both her choice of lord Darnly, and the precipitation with which she had concluded the marriage. She required Lennox and Darnly, whom she still called her subjects, to return into England; and at the same time she warmly interceded in behalf of Murray, whose behaviour she represented to be not

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* After their fruitless consultation in Stirling, the lords retired to their own houses. Keith, 304. Murray was still at St. Andrews on July 22. Keith, 306. By the places of rendezvous appointed for the inhabitants of the different counties, August 4, it appears that the queen's intention was to march into Fife, the county into which Murray, Rothes, Kirkaldie, and other chiefs of the malecontents resided. Keith, 310. Their flight into the west, Keith, 312. prevented this expedition, and the former rendezvous was altered. Keith, 310.

¶ Keith, 312. Knox, 380.

only innocent but laudable. This message, so mortifying to the pride of the queen, and so full of contempt for her husband, was rendered still more insupportable by the petulant and saucy demeanour of Tamworth, the person who delivered it ‖. Mary vindicated her own conduct with warmth, but with great strength of reason; and rejected the intercession in behalf of Murray, not without signs of resentment at Elizabeth's pretending to intermeddle in the internal government of her kingdom §.

She did not, on that account, intermit in the least the ardour with which she pursued Murray and his adherents *. They now appeared openly in arms; and having received a small supply in money from Elizabeth †, were endeavouring to raise their followers in the western counties. But Mary's vigilance hindered them from assembling in any considerable body. All her military operations at that time were concerted with wisdom, executed with vigour, and attended with success. In order to encourage her troops, she herself, marched along with them, rode with loaded pistols ‡, and endured all the fatigues of war with admirable fortitude. Her alacrity inspired her forces with an invincible resolution, which, together with their superiority in number, deterred the malecontents from facing them in the field; but having artfully passed the queen's army, they marched with the utmost precipitation to Edinburgh, and endeavoured to rouse the inhabitants of the city to arms. The queen did not suffer them to remain long unmolested; and on her approach, they were forced to abandon that

‖ Camb. 398. § Keith, Append. 99.

* The most considerable persons who joined Murray, were, the duke of Chatelherault, the earls of Argyll, Glencairn, Rothes; lord Boyd and Ochiltree; the lairds of Grange, Cunninghamhead, Balcomie, Carmylie, Lawers, Bar, Dreghorn, Pittarrow, Comptroller, and the tutor of Pitcur. Knox, 382.

† Knox, 380. ‡ Keith, Append. 164.

place, and retire in confusion towards the western borders*.

As it was uncertain, for some time, what route they had taken, Mary employed that interval in proceeding for the security of the counties in the heart of the kingdom. She seized the places of strength which belonged to the rebels; and obliged the considerable barons in those shires which she most suspected to join in associations for her defence†. Having thus left all the country behind her in tranquillity, she, with an army eighteen thousand strong, marched towards Dumfries, where the rebels then were. During their retreat, they had sent letters to the queen, from almost every place where they halted, full of submission, and containing various overtures towards an accommodation. But Mary, who determined not to let slip such a favourable opportunity of crushing the mutinous spirit of her subjects, rejected them with disdain. As she advanced, the malecontents retired. And, having received no effectual aid from Elizabeth‡, they despaired of any other means of safety, fled into England, and put themselves under the protection of the earl of Bedford warden of the marches.

Nothing, which Bedford's personal friendship for Murray could supply, was wanting to render their retreat agreeable. But Elizabeth herself treated them with extreme neglect. She had fully gained her end, and, by their means, had excited such discord and jealousies among the Scots, as would, in all probability, long distract and weaken Mary's councils. Her business now was to save appearances, and to justify herself to the ministers of France and Spain, who accused her of fomenting the troubles in Scotland by her intrigues. The expedient she contrived for her vindication strongly displays her own character, and the wretched condition of exiles, who are obliged to depend on a foreign prince. Murray, and Hamilton abbot of Kilwinning, being appointed by the other fugitives to wait on Elizabeth, in-

* Keith, 315. † Ibid. 113.
‡ See Append. No. XII. XIII.

ſtead of meeting with that welcome reception which was due to men, who, out of confidence in her promiſes, and in order to forward her deſigns, had hazarded their lives and fortunes, could not even obtain the favour of an audience, until they had meanly conſented to acknowledge, in the preſence of the French and Spaniſh ambaſſadors, that Elizabeth had given them no encouragement to take arms. No ſooner did they make this declaration, than ſhe aſtoniſhed them with this reply: "You have declared the truth; I am far from ſetting an example of rebellion to my own ſubjects, by countenancing thoſe who rebel againſt their lawful prince. The treaſon, of which you have been guilty, is deteſtable; and as traitors I baniſh you from my preſence*." Notwithſtanding this ſcene of farce and of falſehood, ſo diſhonourable to all the perſons who acted a part in it, Elizabeth permitted the malecontents peaceably to reſide in her dominions, ſupplied them ſecretly with money, and renewed her ſolicitations with the Scottiſh queen in their favour†.

The advantage ſhe had gained over them did not ſatisfy Mary; ſhe reſolved to follow the blow, and to prevent a party, which ſhe dreaded, from ever recovering any footing in the nation. With this view ſhe called a meeting of parliament, and in order that a ſentence of forfeiture might be legally pronounced againſt the baniſhed lords, ſhe ſummoned them, by public proclamation, to appear before it‡.

The duke of Chatelherault, on his humble application, obtained a ſeparate pardon; but not without difficulty, as the king violently oppoſed it. He was obliged, however, to leave the kingdom, and to reſide ſome time in France§.

The numerous forces which Mary brought into the field, the vigour with which ſhe acted, and the length of time ſhe kept them in arms, reſemble the efforts of a prince with revenues much more conſiderable than thoſe

* Melv. 112. † Knox, 389. ‡ Keith, 330.
§ Knox, 389.

which ſhe poſſeſſed. But armies were then levied and maintained by princes at ſmall charge. The vaſſal followed his ſuperior, and the ſuperior attended the monarch, at his own expence. Six hundred horſemen, however, and three companies of foot, beſides her guards, received regular pay from the queen. This extraordinary charge, together with the diſburſements occaſioned by her marriage, exhauſted a treaſury which was far from being rich. In this exigency, many devices were fallen upon for raiſing money. Fines were levied on the towns of St. Andrews, Perth, and Dundee,* which were ſuſpected of favouring the malecontents. An unuſual tax was impoſed on the boroughs throughout the kingdom; and a great ſum was demanded of the citizens of Edinburgh, by way of loan. This unprecedented exaction alarmed the citizens. They had recourſe to delays, and ſtarted difficulties in order to evade it. Theſe Mary conſtrued to be acts of avowed diſobedience, and inſtantly committed ſeveral of them to priſon. But this ſeverity did not ſubdue the undaunted ſpirit of liberty which prevailed among the inhabitants. The queen was obliged to mortgage to the city the ſuperiority of the town of Leith, by which ſhe obtained a conſiderable ſum of money †. The thirds of eccleſiaſtical benefices proved another ſource whence the queen derived ſome ſupply. About this time we find the proteſtant clergy complaining more bitterly than ever of their poverty. The army, it is probable, exhauſted a great part of that fund which was appropriated for their maintenance.

The aſſemblies of the church were not unconcerned ſpectators of the commotions of this turbulent year. In the meeting June twenty-fourth, previous to the queen's marriage, ſeveral of the malecontent nobles were preſent, and ſeem to have had great influence on its deciſions. The high ſtrain in which the aſſembly addreſſed the queen can be imputed only to thoſe fears and jealouſies with regard to religion which they endeavoured

* Knox, 383, 386. † Maitl. Hiſt. of Edinburgh, 27.

to infuſe into the nation. The aſſembly complained, with ſome bitterneſs, of the ſtop which had been put to the progreſs of the Reformation by the queen's arrival in Scotland; they required not only the total ſuppreſſion of the popiſh worſhip throughout the kingdom, but even in the queen's own chapel; and beſides the legal eſtabliſhment of the proteſtant religion, they demanded that Mary herſelf ſhould publicly embrace it. The queen after ſome deliberation, replied, that neither her conſcience nor her intereſt would permit her to take ſuch a ſtep. The former would for ever reproach her for a change which proceeded from no inward conviction, the latter would ſuffer by the offence which her apoſtacy muſt give to the king of France and her other allies on the continent *.

It is remarkable, that the proſperous ſituation of the queen's affairs during this year began to work ſome change in favour of her religion. The earls of Lennox Athol, and Caſſils, openly attended maſs; ſhe herſelf afforded the catholics a more avowed protection than formerly; and, by her permiſſion ſome of the ancient monks ventured to preach publicly to the people †.

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* Knox, 374, 376. † Ibid. 389, 390.

THE
HISTORY
OF
SCOTLAND.

BOOK FOURTH.

CONTENTS.

The conduct of Queen Mary to the exiled nobles. To Darnly. Rizio. His murder. The Queen's confinement. Her Escape. The flight of the conspirators. Imprudence of Darnly. Bothwell. Birth of James VI. Attachment of the English Parliament to Mary's title. Perplexity and address of Elizabeth. Aversion of the Queen of Scotland to Darnly. Church Affairs. Darnly's sickness. His murder. His character. Bothwell accused of his death. Trial and acquittal of Bothwell. A Parliament. The Queen carried to Dunbar. Her marriage to Bothwell. Public disgust. Combination of the nobles. An accommodation. Flight of Bothwell. Mary's surrender to the rebels.

As the day appointed for the meeting of parliament approached, Mary and her ministers were employed in deliberating concerning the course which it was most proper to hold with regard to the exiled nobles. Many motives prompted her to set no bounds to the rigour of justice. The malecontents had laboured to defeat a scheme, which her interest conspired with her passions in rendering dear to her; they were the leaders of a party, whose friendship she had been obliged to court, while she held their principles in abhorrence; and they were firmly attached to a rival whom she had good reason both to fear and to hate.

But on the other hand, ſeveral weighty conſiderations might be urged. The noblemen, whoſe fate was in ſuſpence, were among the moſt powerful ſubjects in the kingdom; their wealth great, their connexions extenſive, and their adherents numerous. They were now at mercy, the objects of compaſſion, and ſuing for pardon with the moſt humble ſubmiſſion.

In thoſe circumſtances, an act of clemency would exalt the queen's character, and appear no leſs ſplendid among foreigners, than acceptable to her own ſubjects. Mary herſelf, though highly incenſed, was not inexorable, but the king's rage was implacable and unrelenting. They were ſolicited in behalf of the fugitives from various quarters. Morton, Ruthven, Maitland, and all who had been members of the congregation, were not forgetful of their ancient union with Murray and his fellow ſufferers; nor neglectful of their ſafety, which they eſteemed of great importance to the kingdom. Melvil, who at that time poſſeſſed the queen's confidence, ſeconded their ſolicitations. And Murray, having ſtooped ſo low as to court Rizio, that favourite, who was deſirous of ſecuring his protection againſt the king, whoſe diſpleaſure he had lately incurred, ſeconded the interceſſions of his other friends with the whole of his influence†. The interpoſition of ſir Nicholas Throkmorton, who had lately been Elizabeth's ambaſſador in Scotland, in behalf of the exiles, was of more weight than all theſe, and attended with more ſucceſs. Throkmorton, out of enmity to Cecil, had embarked deeply in all the intrigues which were carried on at the Engliſh court, in order to undermine the power and credit of that miniſter. He eſpouſed, for this reaſon, the cauſe of the Scottiſh queen, towards whoſe title and pretenſions the other was known to bear little favour; and ventured, in the preſent critical juncture, to write a letter to Mary, containing the moſt ſalutary advices with regard to her conduct. He recommended the pardoning of the earl of Murray and his aſſociates, as a mea-

† Melv. 125.

ſure no leſs prudent than popular. "An action of this nature," ſays he, "the pure effect of your majeſty's generoſity, will ſpread the fame of your lenity and moderation, and engage the Engliſh to look towards your acceſſion to the throne, not only without prejudice, but with deſire. By the ſame means, a perfect harmony will be reſtored among your own ſubjects, who, if any rupture ſhould happen with England, will ſerve you with that grateful zeal which your clemency cannot fail of inſpiring *."

Theſe prudent remonſtrances of Throkmorton, to which his reputation for wiſdom, and known attachment to the queen, added great authority, made a deep impreſſion on her ſpirit. Her courtiers cultivated this happy diſpoſition, and prevailed on her, notwithſtanding the king's inflexible temper, to ſacrifice her own private reſentment to the interceſſion of her ſubjects, and the wiſhes of her friends †. With this view, the parliament which had been called to meet on the fourth of February, was prorogued to the ſeventh of April ‡; and in the mean time ſhe was buſy in conſidering the manner and form in which ſhe ſhould extend her favour to the lords who were under diſgrace.

Though Mary diſcovered on this occaſion a mind naturally prone to humanity, and capable of forgiving, ſhe wanted firmneſs, however, to reſiſt the influence which was fatally employed to diſappoint the effects of this amiable diſpoſition. About this time, and at no great diſtance from each other, two envoys arrived from the French king. The former was entruſted with matters of mere ceremony alone; he congratulated the queen on her marriage, and inveſted the king with the enſigns of the order of St. Michael. The inſtructions of the latter related to matters of more importance, and produced greater effects §.

An interview between Charles IX. and his ſiſter the queen of Spain had been often propoſed; and after ma-

* Melv. 119. † Ibid. 125. ‡ Good. vol. i. 224.
§ Keith, 325. Append. 167.

ny obſtacles ariſing from the oppoſition of political intereſt, was at laſt appointed at Bayonne. Catherine of Medicis accompanied her ſon; the duke of Alva attended his miſtreſs. Amidſt the ſcenes of public pomp and pleaſure, which ſeemed to be the ſole occupation of both courts, a ſcheme was formed, and meaſures concerted, for exterminating the Hugonots in France, the Proteſtants in the Low Countries, and for ſuppreſſing the Reformation throughout all Europe *. The active policy of pope Pius IV. and the zeal of the cardinal of Lorrain, confirmed and encouraged diſpoſitions ſo ſuitable to the genius of the Romiſh religion, and ſo beneficial to their own order.

It was an account of this holy league which the French envoy brought to Mary, conjuring her at the ſame time, in the name of the king of France and the cardinal of Lorrain, not to reſtore the leaders of the proteſtants in her kingdom to power and favour, at the very time when the catholic princes were combined to deſtroy that ſect in all the countries of Europe †.

Popery is a ſpecies of falſe religion, remarkable for the ſtrong poſſeſſion it takes of the heart. Contrived by men of deep inſight in the human character, and improved by the experience and obſervation of many ſucceſſive ages; it arrived at laſt to a degree of perfection, which no former ſyſtem of ſuperſtition had ever attained. There is no power in the underſtanding, no paſſion in the heart, to which it does not preſent objects adapted to rouſe and to intereſt them. Neither the love of pleaſure which at times prevailed in the court of France, nor the purſuits of ambition which occupied the court of Spain, had ſecured them from the dominion of bigotry. Laymen and courtiers were agitated with that furious and unmerciful zeal which is commonly conſidered as peculiar to eccleſiaſtics; and kings and miniſters thought themſelves bound in conſcience to extirpate the proteſtant doctrine. Mary herſelf was deeply tinctured with all the prejudices of popery; a paſ-

* Thuan. lib 37. † Melv. 127.

fionate attachment to that fuperftition is vifible in every part of her character, and runs through all the fcenes of her life: fhe was devoted too with the utmoft fubmiffion to the princes of Lorrain, her uncles; and had been accuftomed from her infancy to liften to all their advices with a filial refpect. The profpect of reftoring the public exercife of her own religion, the pleafure of complying with her uncles, and the hopes of gratifying the French monarch, whom the prefent fituation of her affairs in England, made it neceffary to court, counterbalanced all the prudent confiderations which had formerly weighed with her. She inftantly joined the confederacy, which had been formed for the deftruction of the proteftants, and altered the whole plan of her conduct with regard to Murray and his adherents*.

To this fatal refolution may be imputed all the fubfequent calamities of Mary's life. Ever fince her return into Scotland, fortune may be faid to have been propitious to her, rather than adverfe; and if her profperity did not rife to any great height, it had, however, fuffered no confiderable interruption. A thick and fettled cloud of adverfity, with few gleams of hope, and none of real enjoyment, covers the remainder of her days.

The effects of the new fyftem which Mary had adopted were foon vifible. The time of the prorogation of parliament was fhortened, and by a new proclamation the twelfth of March was fixed for its meeting †. Mary refolved, without any further delay, to proceed to the attainder of the rebel lords, and at the fame time determined to take fome fteps towards the re-eftablifhment of the Romifh religion in Scotland ‡. The lords

* See Append. No. XIV. † Keith, 326.

‡ It is not on the authority of Knox alone, that we charge the queen with the defign of re-eftablifhing the Roman catholic religion. He, indeed, afferts that the altars, which fhould have been erected in the church of St. Giles, were already provided, 394. 1. Mary herfelf, in a letter to the archbifhop of Glafgow, her ambaffa-

of the articles were chosen, as usual, to prepare the business which was to come before the parliament. They were all persons in whom the queen could confide, and bent to promote her designs. The ruin of Murray and his party seemed now inevitable, and the danger of the reformed church imminent, when an event unexpectedly happened which saved both. If we regard either the barbarity of that age, when such acts of violence were common, or the mean condition of the unhappy person who suffered, the event is little remarkable; but if we reflect upon the circumstances with which it was attended, or upon the consequences which followed it, it appears extremely memorable; and the rise and progress of it deserve to be traced with great care.

Darnly's external accomplishments had excited that sudden and violent passion which raised him to the throne. But the qualities of his mind corresponded ill with the beauty of his person. Of a weak understanding, and without experience, conceited, at the same time, of his own abilities, and ascribing his extraordinary success entirely to this distinguished merit; all the queen's favour made no impression on such a temper. All her gentleness

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dor in France, acknowledges, "that in that parliament she intended to have done some good, with respect to restoring the old religion," Keith, 331. 2. The spiritual lords, *i. e.* the Popish ecclesiastics, had, by her authority, resumed their ancient place in that assembly. Ibid. 3. She had joined the confederacy at Bayonne. Keith, Append. 167. 4. She allowed mass to be celebrated in different parts of the kingdom, ibid.; and declared that she would have mass free for all men that would hear it. Good. vol. i. 274. 5. Blackwood, who was furnished by the archbishop of Glasgow with materials for writing his *Martyre de Marie*, affirms that the queen intended to have procured, in this parliament, if not the re-establishment of the catholic religion, at least something for the ease of catholics. Jebb, vol. ii. 204.

could not bridle his imperious and ungovernable spirit. All her attention to place about him persons capable of directing his conduct, could not preserve him from rash and imprudent actions*. Fond of all the amusements, and even prone to all the vices of youth, he became by degrees careless of her person, and a stranger to her company. To a woman, and a queen, such behaviour was intolerable. The lower she had stooped to raise him, his behaviour appeared the more ungenerous and criminal: and in proportion to the strength of her first affection, was the violence with which her disappointed passion now operated. A few months after the marriage their domestic quarrels began to be observed. The extravagance of Darnly's ambition gave rise to these. Instead of being satisfied with that stretch of power by which Mary had conferred on him the title of king, and admitted him to a share in the administration, he demanded the crown matrimonial with most insolent importunity†. Though Mary alleged that this gift was beyond her power, and that the authority of parliament must be interposed to bestow it, he wanted either understanding to comprehend, or temper to admit, so just a defence; and often renewed and urged his request.

Rizio, whom the king had at first taken into great confidence, did not humour him in these follies. By this he incurred Henry's displeasure; and as it was impossible for Mary to behave towards her husband with the same affection which distinguished the first and happy days of their union, he imputed this coldness, not to his own behaviour, which had so well merited it, but to the insinuations of Rizio. Mary's own conduct confirmed and strengthened these suspicions. She treated

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* Good. vol. i, 122.

† Keith, 329. Id. App. 165, 166. Knox, 404. The eagerness of the king to obtain the *crown matrimonial* is not surprising, when the extent of the powers which that title conveyed, as explained in the text and note, p. 122, is taken in consideration.

this ſtranger with a familiarity, and admitted him to a ſhare in her confidence, to which neither his firſt condition, nor the office ſhe had lately beſtowed on him, gave him any title. He was perpetually in her preſence, intermeddled in every buſineſs, and, together with a few favourites, was the companion of all her private amuſements. The haughty ſpirit of Darnly could not bear the interference of ſuch an upſtart; and impatient of any delay, and unreſtrained by any ſcruple, he inſtantly reſolved to get rid of him by violence.

At the ſame time another deſign, which took its riſe from very different motives, was carrying on againſt the life of Rizio. Morton, Ruthven, Lindſay, and Maitland, were the contrivers of it. In all former commotions they had been ſtrictly united with Murray, though in the late inſurrection they had deſerted him, for various reaſons. Morton was nearly allied to the family of Angus, and, during the minority of the preſent earl, acted as chief of the name of Douglas. Ruthven was married to the king's aunt. Lindſay's wife was of the ſame blood. All theſe had warmly concurred with the queen in promoting a marriage which did ſo much honour to the houſe of Douglas, and naturally expected, that, under a king of their own blood, the chief management of affairs would be committed to them. Maitland, with his uſual ſagacity, foreſaw that Murray's oppoſition to the match would prove dangerous and ineffectual; but whoever ruled at court, he hoped, by his dexterity and talents, to render himſelf neceſſary and of importance. They were all equally diſappointed in their expectations. The king's headſtrong temper rendered him incapable of advice. The queen could not help diſtruſting men who had been ſo long and ſo intimately connected with Murray, and gave herſelf up intirely to thoſe counſellors who complied with all her inclinations. The return of that nobleman and his followers was therefore the only event which could reſtore Morton, Maitland, and their aſſociates, to their former aſcendant over the queen's councils. For this reaſon, nothing could be more mortifying to them, than the

reſolution which Mary had taken to treat the exiles with rigour. This they imputed to Rizio, who, after he had engaged to aid Murray with all his intereſt, was now the moſt active inſtrument in promoting the meaſures which were concerted for the ruin of that nobleman. This officious zeal completed the diſguſt which the nobles had conceived againſt him, and inſpired them with thoughts of vengeance, in no ways ſuitable to juſtice, to humanity, or to their own dignity.

While they were ruminating upon their ſcheme, the king communicated his reſolution to be avenged of Rizio to lord Ruthven, and implored his aſſiſtance, and that of his friends, towards the execution of this deſign. Nothing could be more acceptable to them than this overture. They ſaw at once all the advantages they would reap, by the concurrence of ſuch an aſſociate. Their own private revenge upon Rizio would paſs, they hoped, for an act of obedience to the king; and they did not deſpair of obtaining the reſtoration of their baniſhed friends, and ſecurity for the proteſtant religion, as the price of their compliance with his will.

But as Henry was no leſs fickle than raſh, they heſitated for ſome time, and determined to advance no farther, without taking every poſſible precaution for their own ſafety. They did not, in the mean time, ſuffer the king's reſentment to abate. Morton, who was inferior to no man of that intriguing age in all the arts of inſinuation and addreſs, took the young prince under his management. He wrought upon his ruling paſſion, ambition to obtain the matrimonial crown. He repreſented Rizio's credit with the queen to be the chief and only obſtacle to his ſucceſs in that demand. This minion alone, he ſaid, poſſeſſed her confidence; and out of complaiſance to him, her ſubjects, her nobility, and even her huſband, were excluded from any participation of her ſecret councils. Under the appearance of a confidence merely political, he inſinuated and having perhaps believed, that a familiarity of another and more criminal nature might be concealed*.

* Of all our hiſtorians, Buchanan alone avowedly

Such various and complicated paſſions raged in the king's boſom with the utmoſt fury. He became more impatient than ever of any delay, and even threatened to ſtrike the intended blow with his own hand. At laſt, preliminaries were ſettled on both ſides, and articles for their mutual ſecurity agreed upon. The king engaged to prevent the attainder of the baniſhed lords, to conſent to their return into Scotland, to obtain for them an

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accuſes Mary of a criminal love for Rizio, 340, 344. Knox ſlightly inſinuates that ſuch a ſuſpicion was entertained, 391. Melvil, in a converſation with the queen, intimates that he was afraid her familiarity with Rizio might be liable to miſconſtruction, 110. The king himſelf ſeems, both by Melvil's account, and by his expoſtulation with the queen, which Ruthven mentions, to have given credit to theſe ſuſpicions. Melv. 127. Keith, Append. 123, 124. But in oppoſition to theſe ſuſpicions, and they are nothing more, we may obſerve that Raulet, the queen's French ſecretary, was diſmiſſed from her ſervice, and Rizio advanced to that office in December, 1564. Keith, 268. It was in conſequence of this preferment, that he acquired his great credit with the queen. Melv. 107. Darnly arrived in Scotland about two months after. Keith, 269. The queen immediately conceived for him a paſſion, which had all the ſymptoms of genuine and violent love. Rizio aided this paſſion, and promoted the marriage with all his intereſt. Melv. 111. During ſome months after the marriage, the queen's fondneſs for Darnly continued. She ſoon proved with child. From this enumeration of circumſtances, it appears almoſt impoſſible that the queen, unleſs we ſuppoſe her to have been a woman utterly abandoned, could carry on any criminal intrigue with Rizio. But the ſilence of Randolph, the Engliſh reſident, a man abundantly ready to mention and to aggravate Mary's faults, and who does not once inſinuate that her confidence in Rizio concealed any thing criminal, is in itſelf a ſufficient vindication of her innocence.

ample remission of all their crimes, and to support, to the utmost of his power, the religion which was now established in the kingdom. On their parts, they undertook to procure the crown matrimonial for Henry, to secure his right of succession, if the queen should die before him, and to defend that right to the uttermost, against whatever person should presume to dispute it; and if either Rizio, or any other person should happen to be killed in prosecuting of the design, the king promised to acknowledge himself to be the author of the enterprise, and to protect those who were embarked in it *.

Nothing now remained but to concert the plan of operation, to choose the actors, and to assign them their parts in perpetrating this detestable crime. Every circumstance here paints and characterises the manners and men of that age, and fills us with horror at both. The place chosen for committing such a deed was the queen's bed-chamber. Though Mary was now in the sixth month of her pregnancy, and though Rizio might have been seized elsewhere without any difficulty, the king pitched upon this place, that he might enjoy the malicious pleasure of reproaching Rizio with his crimes before the queen's face. The earl of Morton, the lord high chancellor of the kingdom, undertook to direct an enterprise, carried on in defiance of all the laws of which he was bound to be the guardian. The lord Ruthven, who had been confined to his bed for three months by a very dangerous distemper, and who was still so feeble that he could scarce walk, or bear the weight of his own armour, was intrusted with the executive part; and while he himself needed to be supported by two men, he came abroad to commit a murder in the presence of his sovereign.

On the ninth of March, Morton entered the court of the palace with an hundred and sixty men; and without noise, or meeting with any resistance, seized all the gates. While the queen was at supper with the

* Good. vol. i. 266.

countefs of Argyle, Rizio, and a few domeftics, the king fuddenly entered the apartment by a private paffage. At his back was Ruthven, clad in complete armour, and with that ghaftly and horrid look which long ficknefs had given him. Three or four of his moft trufty accomplices followed him. Such an unufual appearance alarmed thofe who were prefent. Rizio inftantly apprehended that he was the victim at whom the blow was aimed; and in the utmoft confternation retired behind the queen, of whom he laid hold, hoping that the reverence due to her perfon might prove fome protection to him. The confpirators had proceeded too far to be reftrained by any confideration of that kind. Numbers of armed men rufhed into the chamber. Ruthven drew his dagger, and with a furious mien and voice commanded Rizio to leave a place of which he was unworthy, and which he had occupied too long. Mary employed tears, and entreaties, and threatenings, to fave her favourite. But, notwithftanding all thefe, he was torn from her by violence, and before he could be dragged through the next apartment, the rage of his enemies put an end to his life, piercing his body with fifty-fix wounds*.

Athol, Huntly, Bothwell, and other confidents of the queen who lodged in the palace, were alarmed at the uproar, and filled with the utmoft terror on their own account; but either no violence was intended againft them, or the confpirators durft not fhed the nobleft blood in the kingdom in the fame illegal manner with which they had ventured to take the life of a ftranger. Some of them were difmiffed, and others made their efcape.

The confpirators, in the mean time, kept poffeffion of the palace, and guarded the queen with the utmoft care. A proclamation was publifhed by the king, prohibiting the parliament to meet on the day appointed; and meafures were taken by him for preventing any tumult in the city†. Murray, Rothes, and their followers,

* See Appen. No. XV. † Keith Appen. 126.

being informed of every ſtep taken againſt Rizio, arrived at Edinburgh next evening. Murray was graciouſly received both by king and queen: by the former, on account of the articles which had been agreed upon between them; by the latter, becauſe ſhe hoped to prevail on him, by gentle treatment, not to take part with the murderers of Rizio. Their power ſhe ſtill felt and dreaded; and the inſult which they had offered to her authority, and even to her perſon, ſo far exceeded any crime which ſhe could impute to Murray, that in hopes of wreaking her vengeance on them, ſhe became extremely willing to be reconciled to him. The obligations, however, which Murray lay under to men who had hazarded their lives on his account, engaged him to labour for their ſafety. The queen, who ſcarce had the liberty of choice left, was perſuaded to admit Morton and Ruthven into her preſence, and to grant them the promiſe of pardon in whatſoever terms they ſhould deem neceſſary for their own ſecurity.

The king, mean while, ſtood aſtoniſhed at the boldneſs and ſucceſs of his own enterpriſe, and uncertain what courſe to hold. The queen obſerved his irreſolution, and availed herſelf of it. She employed all her art to diſengage him from his new aſſociates. His conſciouſneſs of the inſult which he had offered to ſo illuſtrious a benefactreſs, inſpired him with uncommon facility and complaiſance. In ſpite of all the warnings he received to diſtruſt the queen's artifices, ſhe prevailed on him to diſmiſs the guards which the conſpirators had placed on her perſon; and that ſame night he made his eſcape along with her, attended by three perſons only, and retired to Dunbar. The ſcheme of their flight had been communicated to Huntly and Bothwell, and they were quickly joined by them and ſeveral other of the nobles. Bothwell's eſtate lay in that corner of the kingdom, and his followers crowded to their chief in ſuch numbers, as ſoon enabled the queen to ſet the power of the conſpirators at defiance.

This ſudden flight filled them with inexpreſſible conſternation. They had obtained a promiſe of pardon;

and it now appeared from the queen's conduct, that nothing more was intended by this promise than to amuse them, and to gain time. They ventured, however, to demand the accomplishment of it; but their messenger was detained a prisoner, and the queen advancing towards Edinburgh, at the head of eight thousand men, talked in the highest strain of resentment and revenge. She had the address, at the same time, to separate Murray and his associates from the conspirators against Rizio. Sensible that the union of these parties would form a confederacy which might prove formidable to the crown, she expressed great willingness to receive the former into favour; towards the latter she declared herself inexorable. Murray and his followers were no less willing to accept of pardon on her own terms. The conspirators against Rizio, deprived of every resource, and incapable of resistance, fled precipitately to Newcastle, having thus changed situations with Murray and his party, who left that place a few days before.

No man so remarkable for wisdom, and even for cunning, as the earl of Morton, ever engaged in a more unfortunate enterprise. Deserted basely by the king, who now denied his knowledge of the conspiracy by public proclamations, and abandoned ungenerously by Murray and his party *, he was obliged to fly from his native country, to resign the highest office, and to part with one of the most opulent fortunes, in the kingdom.

On her return to Edinburgh, Mary began to proceed against those concerned in the murder of Rizio with the utmost rigour of law. But, in praise of her clemency, it must be observed, that only two persons, and these of no considerable rank, suffered for this crime ¶.

In this conspiracy there is one circumstance which, though somewhat detached, deserves not to be for-

* Melv. 130.

¶ Keith, Appendix 130, 134.

gotten. In the confederacy between the king and the conſpirators, the real intention of which was aſſaſſination, the preſerving of the reformed church is, nevertheleſs, one of the moſt conſiderable articles; and the ſame men who were preparing to violate one of the firſt duties of morality, affected the higheſt regard for religion. Hiſtory relates theſe extravagancies of the human mind, without pretending to juſtify, or even to account for them; and regulating her own opinions by the eternal and immutable laws of juſtice and of virtue, points out ſuch inconſiſtencies, as features of the age which ſhe deſcribes, and records them for the inſtruction of ages to come.

As this is the ſecond inſtance of deliberate aſſaſſination which has occurred, and as we ſhall hereafter meet with many other inſtances of the ſame crime, the cauſes which gave riſe to a practice ſo ſhocking to humanity deſerve our particular attention. Reſentment is, for obvious and wiſe reaſons, one of the ſtrongeſt paſſions in the human mind. The natural demand of this paſſion is, that the perſon who feels the injury ſhould himſelf inflict the vengeance due on that account. The permitting this, however, would have been deſtructive to ſociety; and puniſhment would have known no bounds, either in ſeverity or in duration. For this reaſon, in the very infancy of the ſocial ſtate, the ſword was taken out of private hands, and committed to the magiſtrate. But at firſt, while laws aimed at reſtraining, they really ſtrengthened the principle of revenge. The earlieſt and moſt ſimple puniſhment for crimes was retaliation; the offender forfeited limb for limb, and life for life. The payment of a compenſation to the perſon injured ſucceeded to the rigour of the former inſtitution. In both theſe, the gratification of private revenge was the object of law; and he who ſuffered the wrong was the only perſon who had a right to purſue, to exact, or to remit the puniſhment. While laws allowed ſuch full ſcope to the revenge of one party, the intereſts of the other were not neglected. If the evidence of his guilt did

not amount to a full proof, or if he reckoned himſelf to be unjuſtly accuſed, the perſon to whom a crime was imputed had a right to challenge his adverſary to ſingle combat, and, on obtaining the victory, vindicated his own honour. In almoſt every conſiderable cauſe, whether civil or criminal, arms were appealed to, in defence, either of the innocence, or the property, of the parties. Juſtice had ſeldom occaſion to uſe her balance; the ſword alone decided every conteſt. The paſſion of revenge was nouriſhed by all theſe means, and grew, by daily indulgence, to be incredibly ſtrong. Mankind became habituated to blood, not only in times of war, but of peace; and from this, as well as other cauſes, contracted an amazing ferocity of temper and of manners. This ferocity, however, made it neceſſary to diſcourage the trial by combat; to aboliſh the payment of compenſations in criminal caſes; and to think of ſome milder method of terminating diſputes concerning civil rights. The puniſhments for crimes became more ſevere, and the regulations concerning property more fixed; but the princes whoſe province it was to inflict the one, and enforce the other, poſſeſſed little power. Great offenders deſpiſed their authority; ſmaller ones ſheltered themſelves under the juriſdiction of thoſe from whoſe protection they expected impunity. The adminiſtration of juſtice was extremely feeble and dilatory. An attempt to puniſh the crimes of a chieftain, or even of his vaſſals, often excited rebellions and civil wars. To nobles, haughty and independent, among whom the cauſes of diſcord were many and unavoidable, who were quick in diſcerning an injury, and impatient to revenge it; who deemed it infamous to ſubmit to an enemy, and cowardly to forgive him; who conſidered the right of puniſhing thoſe who had injured them as a privilege of their order, and a mark of independency; ſuch ſlow proceedings were extremely unſatisfactory. The blood of their adverſary was, in their opinion, the only thing which could waſh away an affront; where that was not ſhed, their revenge was diſappointed, their courage

became ſuſpected, and a ſtain was left on their honour. That vengeance, which the impotent hand of the magiſtrate could not inflict, their own could eaſily execute. Under governments ſo feeble, men aſſumed, as in a ſtate of nature, the right of judging and redreſſing their own wrongs; and thus aſſaſſination, a crime of all others the moſt deſtructive to ſociety, came not only to be allowed, but to be deemed honourable.

The hiſtory of Europe, during the fourteenth and fifteenth centuries, abounds with deteſtable inſtances of this crime. It prevailed chiefly among the French and Scots, between whom there was a cloſe intercourſe at that time, and a ſurpriſing reſemblance in their national characters. In one thouſand four hundred and ſeven, the only brother of the king of France was murdered publicly in the ſtreets of Paris; and inſtead of puniſhing this horrible action, an eminent lawyer was allowed to plead in defence of it before the peers of France, and avowedly to maintain the lawfulneſs of aſſaſſination. In 1417, it required all the eloquence and authority of the famous Gerſon, to prevail on the council of Conſtance to condemn this propoſition, "That there are ſome caſes in which aſſaſſination is a virtue much more meritorious in a knight than in a ſquire, and more meritorious in a king than in a knight*." The number of eminent perſons who were murdered in France and Scotland, on account either of private, or political, or religious quarrels, during the fifteenth and ſixteenth centuries, is almoſt incredible. Even after thoſe cauſes, which firſt gave riſe to this barbarous practice, were removed; after the juriſdiction of magiſtrates, and the authority of laws, were better eſtabliſhed, and become more univerſal; after the progreſs of learning and philoſophy had poliſhed the manners, and humanized the minds of men, this crime continued in ſome degree. It was towards the cloſe of the ſeventeenth century before it diſappeared in France. The additional vigour which

* L'Enfant, Hiſt. Cont. de Conſt.

the royal authority acquired by the acceſſion of James VI. to the throne of England, ſeems to have put a ſtop to it in Scotland.

The influence, however, of any national cuſtom, both on the underſtanding and on the heart, and how far it may go towards preventing or extinguiſhing moral principles of the greateſt importance, is remarkable. The authors of thoſe ages have perfectly imbibed the ſentiments of their contemporaries, with regard to aſſaſſination; and they, who had leiſure to reflect and to judge, appear to be no more ſhocked at this crime, than the perſons who committed it during the heat and impetuoſity of paſſion. Buchanan relates the murder of cardinal Beatoun and of Rizio, without expreſſing thoſe feelings which are natural to a man, or that indignation which became an hiſtorian †. Knox, whoſe mind was fiercer and more unpoliſhed, talks of the death of Beatoun and of the duke of Guiſe, not only without cenſure, but with the utmoſt exultation ‡. On the other hand, the biſhop of Roſs mentions the aſſaſſination of the earl of Murray with ſome degree of applauſe ‖. Blackwood dwells upon it with the moſt indecent triumph, and aſcribes it directly to the hand of God §. Lord Ruthven, the principal actor in the conſpiracy againſt Rizio, wrote an account of it ſome ſhort time before his own death, and in all his long narrative there is not one expreſſion of regret, or one ſymptom of compunction, for a crime no leſs diſhonourable than barbarous ¶. Morton, equally guilty of the ſame crime, entertained the ſame ſentiments concerning it; and in his laſt moments, neither he himſelf, nor the miniſters who attended him, ſeem to have conſidered it as an action which called for repentance; even then he talks of *David's ſlaughter* as coolly as if it had been an innocent or commendable deed *. The vices of another age aſtoniſh and ſhock us: the vices of our

† Buchan. 295, 345. ‡ Knox, 334. ‖ Anderſ. 3. 84. § Jebb. 2. 263. ¶ Keith, Append. 119. * Crawf. Mem. Append.

own become familiar and excite little horror *. We return from this digression to the course of the history.

The charm, which had at first attached the queen to Darnly, and held them for some time in an happy union, was now entirely dissolved; and love no longer covering his follies and vices with its friendly veil, they appeared to Mary in their full dimension and deformity †. Though Henry published a proclamation, disclaiming any knowledge of the conspiracy against Rizio, the queen was fully convinced, that he was not only accessary to the contrivance, but to the commission of that odious crime ‡. That very power, which with liberal and unsuspicious fondness, she had conferred upon him, he had employed to insult her authority, to limit her prerogative, and to endanger her person. Such an outrage it was impossible any woman could bear or forgive. Cold civilities, secret distrust, frequent quarrels succeeded to their former transports of affection and confidence. The queen's favours were no longer conveyed through his hand. The crowd of expectants ceased to court his patronage, which they found to avail so little. Among the nobles some dreaded his furious temper, others complained of his perfidiousness; and all of them despised the weakness

* This extraordinary event soon reached England, exaggerated with many circumstances, which at this distance of time appear altogether unfounded. And it is painful to observe that the most learned prelates and divines of that age even considered this horrible murder as meritorious. Among those said to be slain was one friar Black, whose death is mentioned in terms of exultation by the then bishop of Norwich:

"Fraterculus quidam nomine *Black*, papistarum antesignanus, eodem tempore in aula occiditur. Sic niger hic nebulo, nigra quoque morte peremptus, invitus nigrum subito descendit in Orcum." Burn. Hist. of Reform. iii. App. 360.

† See Appendix, No. XVI. ‡ Keith, 359.

of his understanding and the inconstancy of his heart. The people themselves observed some parts of his conduct which little suited the dignity of a king. Addicted to drunkenness, beyond what the manners of that age could bear, and indulging irregular passions, which even the licentiousness of youth could not excuse, he, by his indecent behaviour, provoked the queen to the utmost; and the passions which it occasioned, often forced tears from her eyes, both in public and private *. Her aversion for him increased every day, and could be no longer concealed. He was often absent from court, appeared there with little splendour, and was trusted with no power. Avoided equally by those who endeavoured to please the queen, who favoured Morton and his associates, or who adhered to the house of Hamilton; he was left almost alone in a neglected and unpitied solitude †.

About this time a new favourite grew into great credit with the queen, and soon gained an ascendent over her heart, which encouraged his enterprising genius to form designs that proved fatal to himself, and the occasion of all Mary's subsequent misfortunes. This was James Hepburn, earl of Bothwell, the head of an ancient family, and, by his extensive possessions and numerous vassals, one of the most powerful noblemen in the kingdom. Even in that turbulent age when so many vast projects were laid open to an aspiring mind, and invited to action, no man's ambition was more daring than Bothwell's, or had recourse to bolder or more singular expedients for obtaining power ‡. When almost every person of distinction in

* Keith, 329. † Melv. 131. &c.

‡ Jebb, ii. 486. The author of Crawford's Memoirs, who probably had seen Bothwell, speaks of him as "one of the handsomest men of his time, and well made." Mem. 53.—And Throkmorton, when ambassador at France, thus describes him as brave and enterprising. "The earl of Bothwell is departed to return to Scotland. He is a glorious, rash, and hazardous

the kingdom, whether papiſt or proteſtant had joined the congregation in oppoſing the dangerous encroachments of the French upon the liberties of the nation, he, though an avowed proteſtant, adhered to the queen regent, and acted with vigour on her ſide. The ſucceſs which attended the arms of the congregation having obliged him to retire into France, he was taken into the queen's ſervice, and continued with her till the time of her return into Scotland *. From that period, every ſtep of his conduct towards Mary was remarkably dutiful; and amidſt all the ſhiftings of faction we ſcarcely ever find him holding any courſe which could be offenſive to her. When Murray's proceedings with regard to her marriage gave umbrage to the queen, ſhe recalled Bothwell from that baniſhment into which ſhe had with reluctance driven him, and conſidered his zeal and abilities as the moſt powerful ſupports of her authority. When the conſpirators againſt Rizio ſeized her perſon, he became the chief inſtrument of recovering her liberty, and ſerved her on that occaſion, with ſo much fidelity and ſucceſs, as made the deepeſt impreſſion on her mind, and greatly increaſed the confidence which ſhe had hitherto placed in him †. Her gratitude loaded him with marks of her bounty; ſhe raiſed him to offices of profit and of truſt, and tranſacted no matter of importance without his advice ‡. By complaiſance and aſſiduity he confirmed and fortified theſe diſpoſitions of the queen in his favour, and inſenſibly paved the way towards that vaſt project which his immoderate ambition had perhaps already conceived, and which, in ſpite of ſo many difficulties, and at the expence of many crimes, he at laſt accompliſhed.

The hour of the queen's delivery now approached.

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young man, and therefore it were meet his adverſaries ſhould have an eye to him, and keep him ſhort." Hardwick's State Papers, i. p. 149.

* Anderſ. i. 60. † Ibid. 92, 93.

‡ Melv. 133. Knox, 396.

As her palace was defended only by a slenderguard, it seemed imprudent to expose her person, at that time, to the insults she might suffer in a kingdom torn by factions and prone to mutiny. For this reason, the privy council advised the queen to fix her residence in the castle of Edinburgh, the strongest fortress in the kingdom, and the most proper place for the security of her person*. In order to render this security more perfect, Mary laboured to extinguish the domestic feuds which divided some of the principal nobles. Murray and Argyle were exasperated against Huntly and Bothwell, by reciprocal and repeated injuries. The queen, by her authority and entreaties, effected a reconcilement among them, and drew from them a promise to bury their discords in everlasting oblivion. This reconcilement Mary had so much at heart, that she made it the condition on which she again received Murray into favour†.

On the nineteenth of June, 1566, Mary was delivered of her only son James, a prince whose birth was happy for the whole island, and unfortunate to her alone. His accession to the throne of England united the two divided kingdoms in one mighty monarchy, and established the power of Great Britain on a firm foundation; while she, torn early from her son by the cruelty of her fate, was never allowed to indulge those tender passions, nor to taste those joys, which fill the heart of a mother.

Melvil was instantly despatched to London with an account of this event. It struck Elizabeth, at first, in a sensible manner; and the advantage and superiority which her rival had acquired by the birth of a son, forced tears from her eyes. But before Melvil was admitted to audience, she had so far recovered the command of herself, as to receive him not only with decency, but with excessive cheerfulness, and willingly accepted the invitation which Mary gave her to stand godmother to her son‡.

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*Keith, 335. †Ibid. 336. Append. 139. ‡Melv. 138.

As Mary loved ſplendour and magnificence, ſhe reſolved to celebrate the baptiſm of the young prince with great pomp; and for that purpoſe ſent invitations of the ſame kind to the French king, and to the duke of Savoy, the uncle of her former huſband.

The queen, on her recovery, diſcovered no change in her ſentiments with reſpect to the king *. The death of Rizio, and the countenance he had given to an action ſo inſolent and unjuſtifiable, were ſtill freſh in her memory. She was frequently penſive and dejected †. Though Henry ſometimes attended at court, and accompanied her in her progreſſes through different parts of the kingdom, he met with little reverence from the nobles, while Mary treated him with the greateſt reſerve, and did not ſuffer him to poſſeſs any authority ‡. The breach between them became every day more apparent ‖. Attempts were made towards a reconcilement, particularly by Caſtlenau the French ambaſſador; but after ſuch a violent rupture, it was found no eaſy matter to bind the nuptial knot a-new; and though he prevailed on the king and queen to paſs two nights together ¶, we may with great probability pronounce this appearance of union, to which Caſtlenau truſted, not to have been ſincere, we know with certainty that it was not laſting.

Bothwell, all this while, was the queen's prime confident. Without his participation no buſineſs was concluded, and no favour beſtowed. Together with this aſcendent over her councils, Bothwell, if we may believe the contemporary hiſtorians, acquired no leſs ſway over her heart. But at what preciſe time this ambitious lord firſt allowed the ſentiments of a lover to occupy the place of that duty and reſpect which a ſubject owes his ſovereign; or when Mary, inſtead of gratitude for his faithful ſervices, felt a paſſion of another nature riſing in her boſom, it is no eaſy matter to determine. Such delicate tranſitions of paſſion can be

* See Apend. No. XVII. † Melv. 148. ‡ Keith, 350. Melv. 132. ‖ Keith, Append. 169. ¶ Ibid. 169.

difcerned only by thofe who are admitted near the perfons of the parties, and who can view the fecret workings of the heart with calm and accute obfervation. Neither Knox nor Buchanan enjoyed thefe advantages. Their humble ftation allowed them only a diftant accefs to the queen and her favourite. And the ardour of their zeal and the violence of their prejudices rendered their opinions rafh, precipitate, and inaccurate. It is by the effects of this reciprocal paffion, rather than by their accounts of it, that fubfequent hiftorians can judge of its reality.

Adventurous as Bothwell's project to gain the queen may appear, it was formed and carried on under very favourable circumftances. Mary was young, gay, and affable. She poffeffed great fenfibility of temper, and was capable of the utmoft tendernefs of affection. She had placed her love on a very unworthy object, who requited it with ingratitude, and treated her with neglect, with infolence, and with brutality. All thefe fhe felt and refented. In this fituation, the attention and complaifance of a man who had vindicated her authority and protected her perfon, who entered into all her views, who foothed all her paffions, who watched and improved every opportunity of infinuating his defign and recommending his paffion †, could hardly fail of making an impreffion on a heart of fuch a frame as Mary's.

The haughty fpirit of Darnly, nurfed up in flattery, and accuftomed to command, could not bear the contempt under which he had now fallen, and the ftate of infignificance to which he faw himfelf reduced. But in a country where he was univerfally hated or defpifed, he could never hope to form a party, which would fecond any attempt he might make to recover power. He addreffed himfelf, therefore, to the pope, and to the kings of France and Spain, with many profeffions of his own zeal for the catholic religion, and with bitter complaints againft the queen, for neglecting to promote that in-

† Anderf. i. 93, 94.

tereſt‡: and ſoon after, he took a reſolution, equally wild and deſperate, of embarking on board a ſhip which he provided, and of flying into foreign parts. It is almoſt impoſſible to form any ſatisfactory conjecture concerning the motives which influence a capricious and irregular mind. He hoped, perhaps, to recommend himſelf to the catholic princes on the continent by his zeal for religion, and that they would employ their intereſt towards reinſtating him in the poſſeſſion of that power which he had loſt. Perhaps he expected nothing more than the comfort of hiding the diſgrace under which he was now fallen, among ſtrangers, who had never been witneſſes of his former proſperity.

He communicated the deſign to the French ambaſſador Le Croc, and to his father the earl of Lennox. They both endeavoured to diſſuade him from it, but without ſucceſs. Lennox, who ſeems, as well as his ſon, to have loſt the queen's confidence, and who, about this time, was ſeldom at court, inſtantly communicated the matter to her by a letter. Henry, who had refuſed to accompany the queen from Stirling to Edinburgh, was likewiſe abſent from court. He arrived there, however, on the ſame day ſhe received the account of his intended flight. But he was more than uſually wayward and peeviſh; and ſcrupling to enter the palace unleſs certain lords who attended the queen were diſmiſſed, Mary was obliged to meet him without the gates. At laſt he ſuffered her to conduct him into her own apartment. She endeavoured to draw from him the reaſons of the ſtrange reſolution which he had taken, and to divert him from it. In ſpite, however, of all her arguments and intreaties he remained ſilent and inflexible. Next day the privy council, by her direction, expoſtulated with him on the ſame head. He perſiſted, however, in his ſullenneſs and obſtinacy; and neither deigned to explain the motives of his conduct, nor ſignified any intention of altering it. As he left the apartment, he turned towards the queen, and told her that ſhe ſhould not ſee his

‡ Knox, 399.

face again for a long time. A few days after, he wrote to Mary, and mentioned two things as grounds of his disgust. She herself, he said, no longer admitted him into any confidence, and had deprived him of all power; and the nobles, after her example, treated him with open neglect, so that he appeared in every place without the dignity and splendour of a king.

Nothing could be more mortifying to Mary, than this intended flight of the king's, which would have spread the infamy of their domestic quarrel all over Europe. Compassion for a monarch who would then appear to be forced into exile by her neglect and ill usage, might have disposed mankind to entertain sentiments concerning the causes of their discord little to her advantage. In order, therefore, to prepossess the minds of her allies, and to screen her reputation from any censure with which Darnly might endeavour to load it, the privy council transmitted a narrative of this whole transaction both to the king and to the queen mother of France. It is drawn with great art, and sets Mary's conduct in the most favourable point of light *.

About this time the license of the borderers called for redress; and Mary resolving to hold a court of justice at Jedburgh, the inhabitants of several adjacent counties were summoned to attend their sovereign in arms, according to custom †. Bothwell was at that time lieutenant or warden of all the marches, an office among the most important in the kingdom; and though usually divided into three distinct governments, bestowed by the queen's favour upon him alone. In order to display his own valour and activity in the discharge of this trust, he attempted to seize a gang of banditti, who lurking among the marches of Liddesdale, infested the rest of the country. But while he was laying hold upon one of these desperadoes, he was wounded by him in several places, so that his followers were obliged to carry him to Hermitage castle. Mary instantly flew thither, with an impatience which strongly marks the

* Keith, 345, 347. † Keith, 353. Good, vol. i. 302.

anxiety of a lover, but little suited the dignity of a queen‡. Finding that Bothwell was threatened with no dangerous symptom, she returned that same day to Jedburgh. The fatigue of such a journey, added to the anguish of mind she had suffered on Bothwell's account, threw her next morning into a violent fever‖. Her life was despaired of, but her youth, and the vigour of her constitution, resisted the malignity of her disease. During the continuance of the queen's illness, the king, who resided at Stirling, never came near Jedburgh §; and when he afterwards thought fit to make his appearance there, he met with such a cold reception, as did not encourage him to make any long stay ¶. Mary soon recovered strength enough to return along the eastern borders to Dunbar.

While she resided in this place, her attention was turned towards England. Elizabeth, notwithstanding her promise, and even proclamations to the contrary, not only allowed but encouraged, Morton and his associates to remain in England*. Mary, on the other hand, offered her protection to several English fugitives. Each queen watched the motions of the other with a

‡ The distance between Jedburgh and Hermitage is eighteen Scottish miles, through a country almost impassable. The season of the year was far advanced. Bothwell seems to have been wounded in a scuffle, occasioned by the despair of a single man, rather than any open insurrection of the borderers. It does not appear, that the queen was attended thither by any considerable train. Had any military operation been necessary, as is supposed, Good, vol. i. 304, it would have been extremely improper to risque the queen's person in an expedition against thieves. As soon as the queen found Bothwell to be in no danger, she instantly returned, and after this we hear no more of the insurrection, nor have we any proof that the rioters took refuge in England. No other reason but that which we have produced seems sufficient to account for the queen's conduct.

‖ Keith, 351, 352. § Ibid. Append. 133.

¶ Knox, 400. * Cald. vol. ii. p. 15.

jealous attention, and secretly countenanced the practices which were carrying on to disturb the administration of her rival.

For this purpose Mary's ambassador, Robert Melvil, and her other emissaries, were extremely active and successful. We may impute, in a good degree, to their intrigues, that spirit which appeared in the parliament of England, and which raised a storm that threatened Elizabeth's domestic tranquillity more than any other event of her reign, and required all her art and dexterity to allay it.

Elizabeth had now reigned eight years without discovering the least intention to marry. A violent distemper, with which she had lately been seized, having endangered her life, and alarmed the nation with the prospect of all those calamities which are occasioned by a disputed and dubious succession; a motion was made, and eagerly listened to in both houses, for addressing the queen to provide against any such danger in times to come, either by signifying her own resolution to marry, or by consenting to an act, establishing the order of succession to the crown†. Her love to her subjects, her duty to the public, her concern for posterity, it was asserted, not only called upon, but obliged her take one of these steps. The insuperable aversion which she had all along discovered for marriage, made it improbable that she would chuse the former; and if she complied with the latter request, no title to the crown could, with any colour of justice, be set in opposition to that of the Scottish queen. Elizabeth was sagacious enough to see the remotest consequences of this motion, and observed them with the greatest anxiety. Mary, by refusing so often to ratify the treaty of Edinburgh, had plainly intimated a design of embracing the first promising opportunity for prosecuting her right to the English crown; and by her secret negotiations, she had gained many to favour her title*. All the Roman catholics ardently wished for her succession. Her gentleness and humani-

† D'Ewes Journ. of Parl. 105. * Melv. 136.

ty had removed many of thofe apprehenfions which the proteftants entertained on account of her religion. The court faction, which envied the power of Cecil, and endeavoured to wreft the adminiftration out of his hands, advanced the pretenfions of the Scottifh queen in oppofition to him. The union of the two kingdoms was a defirable object to all wife men in both nations; and the birth of the young prince was a fecurity for the continuance of this bleffing, and gave hopes of its perpetuity.

Under thefe circumftances, and while the nation was in fuch a temper, a parliamentary declaration of Mary's title would have been highly detrimental to Elizabeth. The prefent unfettled ftate of the fucceffion left much in her power. Her refentment alone might have gone far towards excluding any of the competitors from the crown; and the dread of this had hitherto reftrained and overawed the ambition of the Scottifh queen. But if this check fhould be removed by the legal acknowledgment of her title, Mary would be more at liberty to purfue her dangerous defigns, and to act without fear or referve. Her partifans were already meditating fchemes for infurrections in different parts of the kingdom*; and an act of parliament, recognifing the rights of that princefs, whofe pretenfions they favoured, would have been nothing lefs than a fignal to arms; and notwithftanding Elizabeth's juft title to the affections of her fubjects, might have fhaken and endangered her throne.

While this matter remained in fufpence in both houfes, an account of it was tranfmitted to Mary by Melvil her ambaffador. As fhe did not want advocates for her right, even among thofe who were near Elizabeth's perfon, fhe endeavoured to cultivate the difpofition which appeared towards fettling the right of fucceffion in her favour, by a letter to the privy counfellors of England. She expreffed in it a grateful fenfe of Elizabeth's friendfhip, which fhe afcribes chiefly to their good offices with

* Melv. 147.

their ſovereign in her behalf. She declared her reſolution to live in perpetual amity with England, without urging or purſuing her claim upon the crown, any farther than ſhould be agreeable to the queen. But, at the ſame time, as her right of ſucceſſion was undoubted, ſhe hoped it would be examined with candour, and judged of with impartiality. The nobles who attended her wrote to the Engliſh privy council in the ſame ſtrain †. Mary artfully gave theſe letters the air of being nothing more than a declaration of her own and of her ſubjects gratitude towards Elizabeth. But as ſhe could not be ignorant of the jealouſy and fear with which Elizabeth obſerved the proceedings of parliament, a ſtep ſo uncommon as this, of one prince's entering into public correſpondence with the privy counſellors of another, could not be otherwiſe conſtrued than as taken with an intention to encourage the ſpirit which had already been raiſed among the Engliſh. In this light it ſeems to have appeared to Elizabeth herſelf *. But the diſpoſition of her people rendering it neceſſary to treat Mary's perſon with great decency, and her title with much regard, ſhe mentioned it to her only in the ſofteſt language.

Nothing, however, could be a more cruel mortification to a princeſs of Elizabeth's character, than the temper which both houſes of parliament diſcovered on this occaſion. She bent all her policy to defeat or elude the motion. After allowing the firſt heat of their zeal to evaporate, ſhe called into her preſence a certain number of each houſe. She ſoothed and careſſed them; ſhe threatened and promiſed; ſhe remitted ſubſidies which were due, and refuſed thoſe which were offered; and in the end prevailed to have this formidable motion put off for that ſeſſion. Happily for her, the conduct of the Scottiſh queen, and the misfortunes which befel her, prevented the revival of ſuch a motion in any future parliament ||.

† Keith, 354. Append. 156. * Keith, 357. || D'Ewes Journ. 104—130. Camd. 399. Melv. 119. Haynes, 446.

Mean time, in order to preferve the reputation of impartiality, and that fhe might not drive Mary into any defperate meafure, fhe committed to the Tower one Thornton, who had publifhed fomething derogatory to the right of the Scottifh line‡; and fignified her difpleafure againft a member of the houfe of commons, who feemed, by fome words in a fpeech, to glance at Mary§.

Amidft all her other cares, Mary was ever folicitous to promote the intereft of that religion which fhe profeffed. The re-eftablifhment of the Romifh doctrine feems to have been her favourite paffion; and though the defign was concealed with care and conducted with caution, fhe purfued it with a perfevering zeal. At this time fhe ventured to lay afide fomewhat of her ufual referve; and the aid which fhe expected from the popifh princes who had engaged in the league of Bayonne, encouraged her to take a ftep, which, if we confider the temper of the nation, appears to be extremely bold. Having formerly held a fecret correfpondence with the court of Rome, fhe now refolved to allow a nuncio from the pope publicly to enter her dominions. Cardinal Laurea, at that time bifhop of Mondovi, was the perfon on whom Pius V. conferred this office, and along with him he fent the queen a prefent of twenty thoufand crowns‖. It is not the character of the papal court to open its treafury upon diftant or imaginary hopes. The bufinefs of the nuncio in Scotland could be no other than to attempt a reconciliation of that kingdom to the Romifh fee. Thus Mary herfelf underftood it; and in her anfwer to a letter which fhe received from the pope, after expreffing her grateful fenfe of his paternal care and liberality, fhe promifes that fhe would bend her whole ftrength towards the re-eftablifhment and propagation of the catholic faith; that fhe would receive the nuncio with every poffible demonftration of refpect, and concur, with the utmoft vigour, in all his defigns towards promoting the

‡ Camd. 401. § Haynes, 449. ‖ Vita Card. Laur. ap. Burn. vol. iii. p. 325.

honour of God, and restoring peace to the kingdom; that she would celebrate the baptism of the prince according to the ceremonies which the Romish ritual prescribes, hoping that her subjects would be taught, by this example, again to reverence the sacraments of the church, which they had so long treated with contempt; and that she would be careful to instil early into her son the principles of a sincere love and attachment to the catholic faith*. But though the nuncio was already arrived at Paris, and had sent over one of his attendants with part of the money, the queen did not think the juncture proper for his reception. Elizabeth was preparing to send a magnificent embassy into Scotland, against the time of the prince's baptism; and as it would have been improper to offend her, she wisely contrived, under various pretences, to detain Laurea at Paris†. The convulsions into which the kingdom was thrown soon after, made it impossible for him to pursue his journey any farther.

At the very time that Mary was secretly carrying on these negotiations for subverting the reformed church, she did not scruple publicly to employ her authority towards obtaining for its ministers a more certain and comfortable subsistence‡. During this year, she issued several proclamations and acts of council for that purpose, and readily approved of every scheme which was proposed for the more effectual payment of their stipends. This part of her conduct does little honour to Mary's integrity: and though justified by the example of princes, who often reckon falsehood and deceit among the necessary arts of government, and even authorised by the pernicious casuistry of the Roman church, which transfers breach of faith to heretics from the list of crimes to that of duties; such dissimulation must however be numbered among those blemishes which ever stain a truly great and generous character.

As neither the French nor Piedmontese ambassadors

* Conæi Vita Mariæ, ap. Jebb, vol. ii. p. 51. † Keith, Append. 135. ‡ Keith, 561, 562. Knox, 401.

were yet arrived, the baptism of the prince was put off from time to time. Mean while * Mary fixed her residence at Craigmillar †. Such a retirement, perhaps, suited the present temper of her mind, and induced her to prefer it before her own palace of Holyrood-house. Her aversion for the king grew every day more confirmed, and was become altogether incurable. A deep melancholy succeeded to that gaiety of spirit which was natural to her. The rashness and levity of her own choice, and the king's ingratitude and obstinacy, filled her with shame and with despair. A variety of passions preyed at once on a mind, all whose sensations were exquisite, and all its emotions strong, and often extorted from her the last wish of the unfortunate, that life itself might come to an end ‡.

The earl of Bedford, and the count de Brienne, the English and French ambassadors, being arrived, Mary used every effort to smother what passed in her bosom, and set out for Stirling to celebrate the baptism of her son. Bedford was attended by a numerous and splendid train, and brought presents from Elizabeth suitable to her own dignity, and the respect with which she affected, at that time, to treat the queen of Scots. Great preparations had been made by Mary, and the magnificence displayed by her on this occasion exceeded whatever had been formerly known in Scotland. The ceremony itself was performed according to the rites of the Romish church. But neither Bedford nor any of the Scottish nobles who professed the protestant religion entered within the gates of the chapel †. The spirit of that age, firm and uncomplying, would not, upon any inducement, condescend to witness an action which it deemed idolatrous.

Henry's behaviour, at this juncture, perfectly discovers the excess of his caprice, as well as of his folly. He chose to reside at Stirling, but confined himself to his own apartment; and as the queen distrusted every nobleman who ventured to converse with him, he was left

* Keith, 355. † Keith, Pref. vii. ‡ Keith, 360.

in absolute solitude. Nothing could be more singular, or was less expected, than his chusing to appear in a manner that both published the contempt under which he had fallen, and, by exposing the queen's domestic unhappiness to the observation of so many foreigners, looked like a step taken on purpose to mortify and to offend her. Mary felt this insult sensibly; and notwithstanding all her efforts to assume the gaiety which suited the occasion, and which was necessary for the polite reception of her guests, she was sometimes obliged to retire, in order to be at liberty to indulge her sorrow, and give vent to her tears*. The king still persisted in his design of retiring into foreign parts, and daily threatened to put it into execution†.

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* Keith, Pref. vii.

† Camden affirms, 401, that Bedford was commanded by Elizabeth not to give Darnly the title of king. As this was an indignity not to be borne either by Mary or her husband, it hath been asserted to be the cause of the king's absence from the ceremony of his son's baptism. Keith, 360. Good. 319. But, 1. No such thing is to be found among Bedford's instructions, the original of which still remains. Keith, 356. 2. Bedford's advice to the queen by Melvil is utterly inconsistent with Camden's assertion. Melv. 153. Melvil's account is confirmed by Elizabeth's instructions to sir Henry Norris, where she affirms that she commanded Bedford to employ his best offices towards reconciling Mary to her husband, which she had attempted to no purpose. Digges's Compl. Ambas. p. 13. A paper published, Append. No. XVIII. agrees in the same thing. 3. Le Croc the French resident mentions the king's absence, but without giving that reason for it, which has been founded on Camden's words, though, if that had been the real one, he scarce would have failed to mention it. His account of this matter is that which we have followed. Keith, Pref. vii. 4. He informs his court, that on account of the difference betwixt the king and queen, he had refused to hold any further cor-

The ceremony of witnessing the prince's baptism was not the sole business of Bedford's embassy. His instructions contained an overture, which ought to have gone far towards extinguishing those jealousies which had so long subsisted between the two queens. The treaty of Edinburgh, which has been so often mentioned, was the principal occasion of these. The spirit, however, which had risen to such an height in the late parliament, the power of the party which abetted the Scottish queen's title, the number and activity of her agents in different parts of the kingdom, alarmed Elizabeth, and induced her to forego any advantage which the ambiguous and artful expressions in that treaty might afford her. All she now demanded of Mary, was to renounce any title to the crown of England during her life and the lives of her posterity; and, on the other hand, she engaged to take no step which might prove injurious to Mary's claim upon the succession‡.

Mary could not, with decency, reject a proposition so equitable; she insisted, however, that Elizabeth should order the right upon which she claimed to be legally examined and publicly recognised, and particularly that the testament of Henry VIII. whereby he had excluded the descendents of his eldest sister the queen of Scotland from the place due to them in the order of succession, might be produced, and considered by the English nobility. Mary's ministers had credulously embraced an opinion, that this testament, which they

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respondence with the former, though he appears, in many instances, to have been his great confident. Ibid. 5. As the king was not present at the baptism, he seems to have been excluded from any share in the ordinary administration of business. Two acts of privy council, one on the 20th, and the other on the 21st of December, are found in Keith, 562. They both run in the queen's name alone. The king seems not to have been present. This could not be owing to Elizabeth's instructions to Bedford.

‡ Keith, 356.

so justly conceived to be injurious to their mistress, was a mere forgery; and on different occasions had urged Eliabeth to produce it. Mary would have suffered considerably by gaining this point. The original testament is still extant, and not the least doubt can be entertained of its genuineness and authenticity. But it was not Elizabeth's intention to weaken or to set aside the title of the house of Stewart. She aimed at nothing more than to keep the question concerning the succession perplexed and undecided, and by industriously eluding this request, she did real service to Mary's cause *.

A few days after the baptism of the prince, Morton and all the other conspirators against Rizio obtained their pardon, and leave to return into Scotland. Mary, who had hitherto continued inexorable to every entreaty in their behalf, yielded at last to the solicitations of Bothwell †. He could hope for no success in those bold designs on which his ambition resolved to venture, without drawing aid from every quarter. By procuring a favour for Morton and his associates, of which they had good reason to despair, he expected to secure a band of faithful and determined adherents.

The king still remained at Stirling in solitude and under contempt. His impatience in this situation, together with the alarm given him by the rumour of a design to seize his person, and confine him to prison ||, was the occasion of his leaving Stirling in an abrupt manner, and retiring to his father at Glasgow.

Two assemblies of the church were held during this year. New complaints were made, and upon good grounds, of the poverty and contempt under which the protestant clergy were suffered to languish. Penurious as the allotment for their subsistence was, they had not received the least part of what was due for the preceding year §. Nothing less than a zeal, ready to endure and

* Rymer, xv. p. 110. Keith, 361, 358. Note (c). Murdin, 368. † Good. vol. i, 140. Mel. 154. || Keith, Pref. viii. § Ibid. 562.

to suffer every thing for a good cause, could have persuaded men to adhere to a church so indigent and so neglected. The extraordinary expences occasioned by the prince's baptism had exhausted the queen's treasury, and the sums appropriated for the subsistence of the clergy were diverted into other channels. The queen was therefore obliged to prevent the just remonstrances of the assembly, by falling on some new method for the relief of the church. Some symptoms of liberality, some stretch towards munificence, might have been expected in an assignment which was made with an intention of soothing and silencing the clergy. But both the queen and the nobles held fast the riches of the church which they had seized. A sum which, at the highest computation, can scarce be reckoned equal to nine thousand pounds sterling*, was deemed sufficient for the maintenance of a whole national church, by men who had lately seen single monasteries possessed of revenues far superior in value.

The ecclesiastics in that age bore the grievances which affected themselves alone with astonishing patience; but wherever the reformed religion was threatened, they were extremely apt to be alarmed, and to proclaim, in the loudest manner, their apprehensions of danger. A just occasion of this kind was given them a short time before the meeting of the assembly. The usurped and oppressive jurisdiction of the spiritual courts had been abolished by the parliament in the year one thousand five hundred and sixty, and commissaries were appointed to hear and determine the causes which formerly came under their cognizance†. Among the few acts of that parliament to which Mary had paid any regard, this was one. She had confirmed the authority of the commissaries, and had given them instructions for directing their proceedings‖, which are still of great authority in that court. From that time these judges had continued in the uninterrupted exercise of their function, when of a sudden the queen issued a proclamation, restoring the archbishop of St. Andrews to his

* Keith. 562. † Ibid. 152. ‖ Ibid. 251.

ancient juriſdiction, and depriving the commiſſaries of all authority§.

A motive, which cannot be juſtified, rendered the queen not willing to venture upon this raſh action. She had been contriving for ſome time how to re-eſtabliſh the popiſh religion; and the reſtoring the ancient eccleſiaſtics to their former juriſdiction ſeemed to be a conſiderable ſtep towards that end. The motive which prompted Bothwell, to whoſe influence over the queen this action muſt be chiefly imputed*, was ſtill more criminal. His enterpriſing ambition had already formed that bold deſign, which he ſoon after put in execution; and the uſe which we ſhall hereafter find him making of that authority which the popiſh eccleſiaſtics regained, diſcovers the reaſons of his preſent conduct, in contributing to revive their power. The proteſtant clergy were not unconcerned ſpectators of an event which threatened their religion with unavoidable deſtruction; but as they deſpaired of obtaining the proper remedy from the queen herſelf, they addreſſed a remonſtrance to the whole body of the proteſtant nobility, full of that ardent zeal for religion, which the danger to which it was expoſed at that time ſeemed to require†. What effects this vehement exhortation might have produced, we have no opportunity of judging, the attention of the nation being quickly turned towards events of another and more tragical nature.

Immediately upon the king's leaving Stirling, and before he could reach Glaſgow, he was ſeized with a dangerous diſtemper. The ſymptoms which attended it were violent and unuſual, and in that age it was commonly imputed to the effects of poiſon‡. It is impoſſible, amidſt the contradictions of hiſtorians, to decide with certainty concerning its nature or its cauſe¶. His

§ Knox, 403. * Ibid. † Keith, 567. ‡ Melv. 154. Knox, 401.

¶ Buchanan and Knox are poſitive that the king had been poiſoned. They mention the black and putrid puſtules which broke out all over his body. Buchanan adds, that Abernethy his phyſician plainly declared that poiſon

life was in the utmoſt danger; but after languiſhing for ſome weeks, the vigour of his conſtitution ſurmounted the malignity of the diſeaſe.

Mary's neglect of the king on this occaſion was equal to that with which he had treated her during her illneſs at Jedburgh. She no longer felt that warmth of conjugal affection which prompts to ſympathy, and delights in all thoſe tender offices which ſoothe and alleviate ſickneſs and pain. At this juncture, ſhe did not even put on the appearance of this paſſion. Notwithſtanding the king's danger, ſhe amuſed herſelf with excurſions to different parts of the country, and ſuffered near a month to elapſe before ſhe viſited him at Glaſgow. By that time the violence of the diſtemper was over, and the king, though weak and languiſhing, was out of all danger.

The breach between Mary and her huſband was not occaſioned by any of thoſe ſlight diſguſts which interrupt the domeſtic union, without altogether diſſolving it. Almoſt all the paſſions which operate with greateſt

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was the cauſe of theſe ſymptoms, and that the queen refuſed to allow her own phyſician to attend him. Buch. 349. Knox, 401. 2. Blackwood, Cauſin, &c. Jebb, vol. ii. 59. 214. aſſert, that the ſmall-pox was the diſeaſe with which the king was ſeized. He is called a *Pockiſh man* in the queen's letter. Good. vol. ii. 14. The reaſon given by *French Paris* for lodging the king at the Kirk of Field, viz. leſt the young prince ſhould catch the infection if he ſtaid in her palace, ſeems to favour this opinion. Anderſ. vol. ii. 193. Carte mentions it as a proof of Mary's tenderneſs to her huſband, that though ſhe never had the ſmall-pox herſelf, ſhe ventured to attend him, vol. iii. 446. This, if it had been true, would have afforded a good pretence for not viſiting him ſooner; but Mary had the ſmall-pox in her infancy. 3. Biſhop Leſly affirms, that the king's diſeaſe was the French pox. Keith, 364. Note (*b*.) In that age, this diſeaſe was eſteemed ſo contagious, that perſons infected with it were removed without the walls of cities.

violence on a female mind, and drive it to the moſt dangerous extremes, concurred in raiſing and fomenting this unhappy quarrel. Ingratitude for the favours ſhe had beſtowed, contempt of her perſon, violations of the marriage-vow, encroachments on her power, conſpiracies againſt her favourites, jealouſy, inſolence, and obſtinacy, were the injuries of which Mary had great reaſon to complain. She felt them with the utmoſt ſenſibility; and added to the anguiſh of diſappointed love, they produced thoſe ſymptoms of deſpair which we have already deſcribed. Her reſentment againſt the king ſeems not to have abated from the time of his leaving Stirling. In a letter written with her own hand to her ambaſſador in France, juſt before ſhe ſet out for Glaſgow, no tokens of ſudden reconcilement appear. On the contrary, ſhe mentions, with ſome bitterneſs, the king's ingratitude, the jealouſy with which he obſerved her actions, and the inclination he diſcovered to diſturb her government, and at the ſame time talks of all his attempts with the utmoſt ſcorn *.

After this diſcovery of Mary's ſentiments, it was ſcarce to be expected that ſhe would viſit the king, or that any thing but marks of jealouſy and diſtruſt ſhould appear in ſuch an interview. This, however, was far from being the caſe; ſhe not only viſited Darnly, but, by all her words and actions, endeavoured to expreſs an uncommon affection for him: and though this made impreſſion on the credulous ſpirit of her huſband, no leſs flexible on ſome occaſions, than obſtinate on others; yet, to thoſe who are acquainted with the human heart, and who know how ſeldom and how ſlowly ſuch wounds in domeſtic happineſs are healed, this ſudden tranſition will appear with a very ſuſpicious air, and will be conſidered by them as the effect of artifice.

But it is not on ſuſpicion alone that Mary is charged with diſſimulation in this part of her conduct. Two of her famous letters to Bothwell were written during her ſtay at Glaſgow, and fully lay open this ſcene of

* Keith, Pref. viii.

iniquity. He had so far succeeded in his ambitious and criminal design, as to gain an absolute ascendent over the queen; and in a situation such as Mary's, merit not so conspicuous, services of far inferior importance, and address much less insinuating than Bothwell's, may be supposed to steal imperceptibly on a female heart, and entirely to overcome it. Among those in the higher ranks of life, scruples with regard to conjugal fidelity are unhappily neither many nor strong: nor did the manners of that court in which Mary had been educated contribute to increase or to fortify them. The amorous turn of Francis I. and Henry II. the wildness of the military character in that age, and the liberty of appearing in all companies, which began to be allowed to women, who had not yet acquired that delicacy of sentiment, and those polished manners, which alone can render this liberty innocent, had introduced, among the French, a licentiousness of morals that rose to an astonishing height. Such examples, which were familiar to Mary from her infancy, could hardly fail of diminishing that horror of vice which is natural to a virtuous mind. The king's behaviour would render the first approach of forbidden sentiments less shocking; resentment, and disappointed love, would be apt to represent whatever soothed her revenge as justifiable on that account; and so many concurring causes might, almost imperceptibly, kindle a new passion in her heart.

But whatever opinion we may form with regard to the rise and progress of this passion, the letters themselves breathe all the ardour and tenderness of love. The affection which Mary there expresses for Bothwell fully accounts for every subsequent part of her conduct; which, without admitting this circumstance, appears altogether mysterious, inconsistent, and inexplicable. That reconcilement with her husband, of which, if we allow it to be genuine, it is impossible to give any plausible account, is discovered by the queen's own confession to have been mere artifice and deceit. As her aversion for her husband, and the suspicious attention with which she observed his conduct, became univer-

sally known, her ears were officiously filled, as is usual in such cases, with groundless or aggravated accounts of his actions. By some she was told, that the king intended to seize the person of the prince his son, and in his name to usurp the government; by others she was assured that he resolved instantly to leave the kingdom; that a vessel was hired for this purpose, and lay in the river Clyde ready to receive him*. The last was what Mary chiefly dreaded. Henry's retiring into a foreign country must have been highly dishonourable to the queen, and would have entirely disconcerted Bothwell's measures. While he resided at Glasgow, at a distance from her, and in that part of the kingdom where the interest of his family was greatest, he might with more facility accomplish his designs. In order, therefore, to prevent his executing any such wild scheme, it was necessary to bring him to some place where he would be more immediately under her own eye. For this purpose, she first employed all her art to regain his confidence, and then proposed to remove him to the neighbourhood of Edinburgh, under pretence that there he would have easier access to the advice of physicians, and that she herself could attend him without being absent from her son†. The king was weak enough to suffer himself to be persuaded; and being still feeble, and incapable of bearing fatigue, was carried in a litter to Edinburgh.

The place prepared for his reception was a house belonging to the provost of a collegiate church, called the Kirk of Field. It stood almost upon the same spot where the house belonging to the principal of the university now stands. Such a situation, on a rising ground, and at that time in an open field, had all the advantages of healthful air to recommend it; but, on the other hand, the solitude of the place rendered it extremely proper for the commission of that crime, with a view to which it seems manifestly to have been chosen.

*Keith, Pref. viii. †Good. vol. ii. 8.

Mary continued to attend the king with the moſt aſſiduous care. She ſeldom was abſent from him through the day; ſhe ſlept two nights in the chamber under his apartment. She heaped upon him ſo many marks of tenderneſs and confidence, as in a great manner quieted thoſe ſuſpicions which had ſo long diſturbed him. But while he was fondly indulging in dreams of the return of his former happineſs, he ſtood on the very brink of deſtruction. On Sunday the ninth of February, 1567, about eleven at night, the queen left the Kirk of Field, in order to be preſent at a maſque in the palace. At two next morning, the houſe in which the king lay was blown up with gunpowder. The noiſe and ſhock which this ſudden exploſion occaſioned alarmed the whole city. The inhabitants ran to the place whence it came. The dead body of the king, with that of a ſervant who ſlept in the ſame room, were found lying in an adjacent garden without the city wall, untouched by fire, and with no bruiſe or mark of violence.

Such was the unhappy fate of Henry Stewart lord Darnly, in the twenty-firſt year of his age. The indulgence of fortune, and his own external accompliſhments without any other merit, had raiſed him to an height of dignity of which he was altogether unworthy. By his folly and ingratitude, he loſt the heart of a woman who doated on him to diſtraction. His inſolence and inconſtancy alienated from him thoſe nobles who had contributed moſt zealouſly towards his elevation. His levity and caprice expoſed him to the ſcorn of the people, who once revered him as the deſcendent of their ancient kings and heroes. Had he died a natural death, his end would have been unlamented, and his memory have been forgotten; but the cruel circumſtances of his murder, and the ſlackneſs with which it was afterwards avenged, have made his name to be remembered with regret, and have rendered him the object of pity, to which he had otherwiſe no title.

Every one's imagination was at work to gueſs who had contrived and executed this execrable deed. The ſuſpicion fell, with almoſt a general conſent, on Both-

well*, and ſome reflections were thrown out as if the queen herſelf was no ſtranger to the crime. Of Bothwell's guilt there remains the fulleſt evidence that the nature of the action will admit. The queen's known ſentiments with regard to her huſband gave a great appearance of probability to the imputation with which ſhe was loaded†.

Two days after the murder, a proclamation was iſſued by the queen, offering a conſiderable reward to any perſon who ſhould diſcover thoſe who had been guilty of ſuch a horrid and deteſtable crime‡; and though Bothwell was now one of the greateſt ſubjects in the kingdom, formidable on account of his own power, and protected by the queen's favour, it was impoſſible to ſuppreſs the ſentiments and indignation of the people. Papers were affixed to the moſt public places of the city, accuſing him of the murder, and naming his accomplices, pictures appeared to the ſame purpoſe, and voices were heard in the middle of the night, charging him with that barbarous action. But the authors of theſe rumours did not confine their accuſations to Bothwell alone; they inſinuated that the queen herſelf was acceſſary to the crime§. This bold accuſation, which ſo directly attacked Mary's reputation, drew the attention of her council; and by engaging them in an enquiry after the authors of theſe libels, diverted them from ſearching for the murderers of the king¶. It ſcarce could be expected that Mary herſelf would be extremely ſolicitous to diſcover thoſe who had rid her of an huſband whom ſhe had ſo violently hated. It was Bothwell's intereſt, who had the ſupreme direction of this, as well as of all other affairs, to ſtifle and ſuppreſs whatever evidence ſhould be offered, and to cover, if poſſible, the whole tranſaction

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* Melv. 155. Anderſ. vol. ii. 156.

† See Diſſertation concerning the murder of Henry Darnly, and the genuineneſs of Mary's letter to Bothwell, Appendix.

‡ Anderſ. vol. i. 36.

§ Anderſ. vol. ii. 156.

¶ Id. vol. i. 38.

under the veil of darkneſs and of ſilence. Some inquiry, however, was made, and ſome perſons called before the council: but the examination was conducted with the moſt indecent remiſſneſs, and in ſuch a manner as to let in no light upon that ſcene of guilt ‡.

It was not her own ſubjects alone who ſuſpected Mary of having been acceſſary to this unnatural crime; nor did any opinion, ſo diſhonourable to her character, owe its riſe and progreſs to the jealouſy and malice of her factious nobles. The report of the manner and circumſtances of the king's murder ſpread quickly over all Europe, and, even in that age, which was accuſtomed to deeds of violence, it excited univerſal horror. As her unhappy breach with her huſband had long been matter of public diſcourſe, the firſt conjectures which were formed with regard to his death were extremely to her diſadvantage. Her friends, at a loſs what apology to offer for her conduct, called on her to proſecute the murderers with the utmoſt diligence, and expected that the rigour of her proceedings would prove the beſt and fulleſt vindication of her innocence §.

Lennox at the ſame time incited Mary to vengeance with inceſſant importunity. This nobleman had ſhared in his ſon's diſgrace, and being treated by Mary with neglect, uſually reſided at a diſtance from court. Rouſed, however by an event no leſs ſhocking to the heart of a father, than fatal to all his ſchemes of ambition, he ventured to write to the queen, and to offer his advice with reſpect to the moſt effectual method for diſcovering and convicting thoſe who had ſo cruelly deprived him of a ſon, and her of a huſband. He urged her to proſecute thoſe who were guilty with vigour, and to bring them to a ſpeedy trial; he declared his own ſuſpicion of Bothwell, and of thoſe who were named as his accomplices; required that, out of regard to decency, and in order to encourage evidence to appear againſt them, the perſons accuſed of ſuch an

‡ Anderſ. vol. iv. part ii. 167, 168. § Keith, Pref. ix.

atrocious crime ſhould be committed to cuſtody, or at leaſt excluded from her court and preſence *.

Mary was then at Seaton, whither ſhe had retired after the burial of the king, whoſe body was depoſited among the monarchs of Scotland, in a private but decent manner †. The former part of the earl's demand could not on any pretence be eluded; and it was reſolved to bring Bothwell immediately to trial. But inſtead of confining him to any priſon, Mary admitted him into all her councils, and allowed a perſon, univerſally reputed the murderer of her huſband, to enjoy all the ſecurity, the dignity, and the power of a favourite ‡. The offices which Bothwell already poſſeſſed gave him the command of all the ſouth of Scotland. The caſtle of Edinburgh, however, was a place of ſo much conſequence that he wiſhed earneſtly to have it in his own power. The queen, in order to prevail on the earl of Mar to ſurrender it, conſented to put the perſon of the young prince in his hands, and immediately beſtowed the government of that important fortreſs upon Bothwell §. So many ſteps in her conduct, inconſiſtent with all the rules of prudence and decency, muſt be imputed to an exceſs either of folly or of love. Mary's known character fully vindicates her from the former; of the latter, many and ſtriking proofs ſoon appeared.

No direct evidence had yet appeared againſt Bothwell; but as time might bring to light the circumſtances of a crime in which ſo many accomplices were concerned, it was of great importance to hurry over the trial, while nothing more than general ſuſpicions, and uncertain ſurmiſes, could be produced by his accuſers. For this reaſon, in a meeting of privy council held on the twenty-eighth of March, 1567, the twelfth of April was appointed for the day of trial. Though the law allowed, and the manner in which criminal

* Keith, 369. † Anderſ. vol. i. 23.
‡ Anderſ. vol. i. 40, &c. § Anderſ. vol. i. Pref. 64.
Keith, 379.

causes were carried on in that age required, a much longer interval, it appears from several circumstances that this short space was considerably contracted, and that Lennox had only eleven days warning to prepare for accusing a person so far superior to himself both in power and in favour ¶. No man could be less in a condition to contend with an antagonist who was thus supported. Though Lennox's paternal estate had been restored to him when he was called into Scotland, it seems to have been considerably impaired during his banishment. His vassals, while he resided in England, had been accustomed to some degree of independence, and he had not recovered that ascendent over them, which a feudal chief usually possessed. He had no reason to expect the concurrence of any of those factions into which the nobles were divided. During the short period of his son's prosperity, he had

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¶ The act of privy council, appointing the day of Bothwell's trial, bears date March 28th, 1567, which happened on a Thursday. And. vol. i. 50. The queen's warrant to the *messengers*, impowering them to summon Lennox to be present, is dated on the 29th. Anders. vol. ii. 97. He was summoned by public proclamation at the cross of Edinburgh on the same day. Ibid. 100. He was summoned at his dwelling houses in Glasgow and Dumbarton on the 30th of March, the 1st and 2d days of April. Ibid 101. He was summoned at Perth, April 1st. Ibid. 102. Though Lennox resided at that time forty miles from Edinburgh, the citation might have been given him sooner. Such an unnecessary delay affords some cause for suspicion. It is true, Mary, in her letter, March 24th, invited Lennox to come to Edinburgh the ensuing week; this gave him warning some days sooner, that she intended to bring on the trial without delay. But the precise time could not be legally or certainly known to Lennox sooner than eleven or twelve days before the day on which he was required to appear. By the law and practice of Scotland, at that time, parties were summoned, in cases of treason, forty days previous to the trial.

taken ſuch ſteps as gave riſe to an open breach with Murray and all his adherents. The partiſans of the houſe of Hamilton were his hereditary and mortal enemies. Huntly was linked in the cloſeſt confederacy with Bothwell; and thus, to the diſgrace of the nation, Lennox ſtood alone in a cauſe where both honour and humanity called ſo loudly on his countrymen to ſecond him.

It is remarkable too, that Bothwell himſelf was preſent, and ſat as a member in that meeting of privy council, which gave directions with regard to the time and manner of his trial; and he ſtill enjoyed not only full liberty, but was received into the queen's preſence with the ſame diſtinguiſhed familiarity as formerly †.

Nothing could be a more cruel diſappointment to the wiſhes and reſentment of a father than ſuch a premature trial; every ſtep towards which ſeemed to be taken by directions from the perſon who was himſelf accuſed of the crime, and calculated on purpoſe to conceal rather than to detect his guilt. Lennox foreſaw what would be the iſſue of this mock inquiry, and with how little ſafety to himſelf, or ſucceſs to his cauſe, he could venture to appear on the day prefixed. In his former letters, though under expreſſions the moſt reſpectful, ſome ſymptoms of his diſtruſting the queen may be diſcovered. He ſpoke out now in plain language. He complained of the injury done him, by hurrying on the trial with ſuch illegal precipitation. He repreſented once more the indecency of allowing Bothwell not only to enjoy perſonal liberty, but to retain his former influence over her councils. He again required her, as ſhe regarded her own honour to give ſome evidence of her ſincerity in proſecuting the murder, by confining the perſon who was on good grounds ſuſpected to be the author of it; and till that were done he ſignified his own reſolution not to be preſent at a trial, the manner and circumſtances of which were ſo irregular and unſatisfactory *.

He ſeems, however, to have expected little ſucceſs

† Anderſ. vol. i. 50, 52. * Anderſ. vol. i. 52.

from this application to Mary; and therefore at the ſame time beſought Elizabeth to interpoſe, in order to obtain ſuch a delay as he demanded †. Nothing can be a ſtronger proof how violently he ſuſpected the one queen, than his ſubmitting to implore the aid of the other, who had treated his ſon with the utmoſt contempt, and himſelf and family with the greateſt rigour. Elizabeth, who was never unwilling to interpoſe in the affairs of Scotland, wrote inſtantly to Mary, adviſed her to delay the trial for ſome time, and urged in ſuch ſtrong terms the ſame arguments which Lennox had uſed, as might have convinced her to what an unfavourable conſtruction her conduct would be liable, if ſhe perſiſted in her preſent method of proceeding ‡.

Neither her intreaties, however, nor thoſe of Lennox, could prevail to have the trial put off. On the day appointed Bothwell appeared, but with ſuch a formidable retinue, that it would have been dangerous to condemn, and impoſſible to puniſh him. Beſides a numerous body of his friends and vaſſals aſſembled, according to cuſtom, from different parts of the kingdom, he was attended by a band of hired ſoldiers, who marched with flying colours along the ſtreets of Edinburgh §. A court of juſtice was held with the accuſtomed formalities. An indictment was preſented againſt Bothwell, and Lennox was called upon to make good his accuſation. In his name, appeared Robert Cunningham, one of his dependents. He excuſed his maſter's abſence, on account of the ſhortneſs of the time, which prevented his aſſembling his friends and vaſſals, without whoſe aſſiſtance he could not with ſafety venture to ſet himſelf in oppoſition to ſuch a powerful antagoniſt. For this reaſon, he deſired the court to ſtop proceeding, and proteſted, that any ſentence which ſhould be paſſed at that time ought to be deemed illegal and void. Bothwell, on the other hand, inſiſted that the court ſhould inſtantly proceed to trial. One of Lennox's own letters, in which he craved of the queen

† Good. vol. ii. 352. ‡ Anderſ. Pref. 60. See Append. No. XIX. § Anderſ. vol. i. 135.

to profecute the murderers without delay, was produced. Cunningham's objections was over-ruled; and the jury, confifting of peers and barons of the firft rank, found Bothwell not guilty of the crime.

No perfon appeared as an accufer, not a fingle witnefs was examined, nor any evidence produced againft him. The jury under thefe circumftances, could do nothing elfe but acquit him. Their verdict, however, was far from gratifying the wifhes, or filencing the murmurs of the people. Every circumftance in the trial gave grounds for fufpicion, and excited indignation; and the judgment pronounced, inftead of being a proof of Bothwell's innocence, was efteemed an argument of his guilt. Pafquinades and libels were affixed to different places, expreffing the fentiments of the public with the utmoft virulence of language.

The jury themfelves feem to have been aware of the cenfure to which their proceedings would be expofed; and, at the fame time that they returned their verdict acquitting Bothwell, the earl of Caithnefs protefted, in their name, that no crime fhould be imputed to them on that account, becaufe no accufer had appeared, and no proof was brought of the indictment. He took notice likewife, that the ninth inftead of the tenth of February, was mentioned in the indictment, as the day on which the murder had been committed: a circumftance which difcovers the extreme inaccuracy of thofe who prepared the indictment; and at a time when men were difpofed, and not without reafon, to be fufpicious of every thing, this fmall matter contributed to confirm and to increafe their fufpicions †.

Even Bothwell himfelf did not rely on the judgment which he had obtained in his favour, as a full vindication of his innocence. Immediately after his acquittal, he, in compliance with a cuftom which was not then obfolete, publifhed a writing, in which he offered to fight in fingle combat any gentleman of good fame who fhould prefume to accufe him of being acceffary to the murder of the king.

† Bothw. Trial, Anderf. vol. ii. 97, &c.

Mary, however, continued to treat him as if he had been cleared by the most unexceptionable and satisfactory evidence. The ascendent he had gained over her heart, as well as over her councils, was more visible than ever; and Lennox, who could not expect that his own person could be safe in a country where the murderer of his son had been absolved, without regard to justice; and loaded with honours, in contempt of decency, fled with precipitation towards England ‖.

Two days after the trial, a parliament was held, at the opening of which the queen distinguished Bothwell, by appointing him to carry the sceptre before her *. Most of the acts passed in this assembly, were calculated on purpose to strengthen his party, and to promote his designs. He obtained the ratification of all the possessions and honours which the partiality of the queen had conferred upon him; and the act to that effect contained the strongest declarations of his faithful services to the crown, in all times past. The surrender of the castle of Edinburgh by Mar was confirmed. The law of attainder against Huntly was repealed, and he, and his adherents, were restored to the estates and honours of their ancestors. Several of those who had been on the jury which acquitted Bothwell, obtained the ratifications of the grants made in their favour. And as pasquinades daily multiplied, a law passed, whereby those, into whose hands any paper of that kind fell, were commanded instantly to destroy it; and if, through their neglect, it should be allowed to spread, they were subjected to a capital punishment, in the same manner, as if they had been the original authors †.

But the absolute dominion, which Bothwell had acquired over Mary's mind, appeared in the clearest manner, by an act in favour of the protestant religion, to which, at this time, she gave her assent. Mary's attachment to the Romish faith was uniform and superstitious; she had never laid aside the design, nor lost the hopes of restoring it. She had, of late, come under new engagements to that purpose, and in consequence

‖ Keith, 378. Note (*d.*) * Id. Ibid. † Ibid. 380.

of these, had ventured upon some steps more public and vigorous than any she had formerly taken. But, Bothwell was prompted, by powerful motives to promote this law. He had been guilty of crimes, which rendered him the object of just and universal detestation. He was meditating others, which he easily foresaw would heighten the public indignation against him. By this popular law, he might hope to avert, or to delay the resentment of the nation, and flattered himself, that the obtaining this unexpected and legal security for the protestant religion, would atone for much guilt, silence the clamours of the clergy, and induce the people to connive at, or to tolerate his crimes. The act itself was so favourable to the doctrine of the reformers, that the parliament, which met next year, under very different leaders, could substitute nothing stronger or more explicit in its place; and thought it sufficient to ratify it word for word †. To pass such an act, was utterly inconsistent with all the maxims which Mary followed in every other period of her life; but what could never be extorted from her by the solicitations of the assemblies of the church, or by the entreaties of her people, the more powerful influence of Bothwell now obtained ‡.

Every step taken by Bothwell had hitherto been at-

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† Parl. I. Jac. VI. c. 31.

‡ Buchanan, Hist. 355, not only omits taking any notice of this law, but asserts, that the queen, though she had given promises in favour of the reformed religion, refused to permit any act to pass in support of it, and even dismissed the deputies of the church with contempt. Spotsw. 202. and Calderwood, vol. iii. 41. both affirm the same thing. It would not have been necessary to observe this instance of Buchanan's inaccuracy; but that an author so conversant in our laws as Spotswood, and one so industrious as Calderwood, should commit such an error, when a printed act of parliament to the contrary was before their eyes, is remarkable. Even Buchanan himself has taken notice of this act, Detectio, p. 8.

tended with all the succeſs which his moſt ſanguine wiſhes could expect. He had entirely gained the queen's heart; the murder of the king had excited no public commotion; he had been acquitted by his peers of any ſhare in that crime; and their deciſion had been in ſome ſort ratified in parliament. But in a kingdom where the regal authority was ſo extremely limited, and the power of the nobles ſo formidable, he durſt not venture on the laſt action, towards which all his ambitious projects tended, without their approbation. In order to ſecure this, he, immediately after the diſſolution of parliament, invited all the nobles who were preſent to an entertainment. Having filled the houſe with his friends and dependents, and ſurrounded it with armed men §, he opened to the company his intention of marrying the queen, whoſe conſent, he told them, he had already obtained; and demanded their approbation of this match, which, he ſaid, was no leſs acceptable to their ſovereign, than honourable to himſelf ¶. Huntly and Seaton, who were privy to all Bothwell's ſchemes, and promoted them with the utmoſt zeal; the popiſh eccleſiaſtics, who were abſolutely devoted to the queen, and ready to ſoothe all her paſſions; inſtantly declared their ſatisfaction with what he had propoſed. The reſt, who dreaded the exorbitant power which Bothwell had acquired, and obſerved the queen's growing affection towards him in all her actions, were willing to make a merit of yielding to a meaſure which they could neither oppoſe nor defeat. Some few were confounded and enraged. But in the end Bothwell, partly by promiſes and flattery, partly by terror and force, prevailed on all who were preſent to ſubſcribe a paper, which leaves a deeper ſtain than any occurrence in that age on the honour and character of the nation.

This paper contained the ſtrongeſt declarations of Bothwell's innocence, and the moſt ample acknowledgment of his good ſervices to the kingdom. If any future accuſation ſhould be brought againſt him on

§ Good. vol. ii. 141. ¶ Anderſ. vol. i. 94.

account of the king's murder, the ſubſcribers promiſed to ſtand by him as one man, and to hazard their lives and fortunes in his defence. They recommended him to the queen as the moſt proper perſon ſhe could chuſe for a huſband; and if ſhe could condeſcend to beſtow on him that mark of her regard, they undertook to promote the marriage, and to join him with all their forces in oppoſing any perſon who endeavoured to obſtruct it*. Among the ſubſcribers of this paper we find ſome who were the queen's chief confidents, others who were ſtrangers to her councils, and obnoxious to her diſpleaſure; ſome who faithfully adhered to her through all the viciſſitudes of her fortune, and others who became the principal authors of her ſufferings; ſome paſſionately attached to the Romiſh ſuperſtition, and others zealous advocates for the proteſtant faith†. No common intereſt can be ſuppoſed to have united men of ſuch oppoſite principles and parties, in recommending to their ſovereign a ſtep ſo injurious to her honour, and ſo fatal to her peace. This ſtrange coalition was the effect of much artifice, and muſt be conſidered as the boldeſt and moſt maſterly ſtroke of Bothwell's addreſs. It is obſervable, that amidſt all the altercations and mutual reproaches of the two parties which aroſe in the kingdom, this unworthy tranſaction is ſeldom mentioned. Conſcious on both ſides, that in this particular their conduct could ill bear examination, and would redound little to their fame, they always touch upon it unwillingly, and with a tender hand, ſeeming deſirous that it ſhould remain in darkneſs, or be buried in oblivion. But as ſo many perſons who, both at that time, and ever after, poſſeſſed the queen's favour, ſubſcribed this paper, the ſuſpicion becomes ſtrong, that Bothwell's ambitious hopes were neither unknown to Mary nor diſapproved by her§.

* Anderſ. vol. i. 177. † Keith, 382.

§ Of all the different ſyſtems with regard to this tranſaction, that of Camden ſeems to be the leaſt accurate, and the worſt founded. He ſuppoſes that Bothwell

Theſe ſuſpicions are confirmed by the moſt direct proof. Melvil at that time enjoyed a conſiderable ſhare in her favour. He, as well as his brother, kept a ſecret correſpondence in England with thoſe who favoured her pretenſions to that crown. The rumour of her intended marriage with Bothwell having early ſpread in that kingdom, excited univerſal indignation; and Melvil

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was hated by Murray, Morton, &c. who had been his aſſociates in the murder of the king, and that they now wanted to ruin him. He affirms, at the ſame time, that the ſubſcriptions to this paper were obtained by them out of fear that Bothwell might ſink in his hopes, and betray the whole bloody ſecret, 404. But beſides the abſurdities of ſuppoſing that any man's enemies would contribute towards raiſing him to ſuch high dignity, on the uncertain hopes of being able afterwards to deprive him of it; beſides the impoſſibility of accompliſhing ſuch a marriage, if it had been either unknown to the queen, or diſagreeable to her; we may obſerve that this ſuppoſition is deſtroyed by the direct teſtimony of the queen herſelf, who aſcribes the conſent of the nobles to Bothwell's artifices, *who purchaſed it by giving them to underſtand that we were content therewith.* Anderſ. vol. i. 94, 99. It would have been no ſmall advantage to Mary, if ſhe could have repreſented the conſent of the nobles to have been their own voluntary deed. It is ſtill more ſurpriſing to find Leſly aſcribing this paper to Murray and his faction. Anderſ. vol. i. 96. The biſhop himſelf was one of the perſons who ſubſcribed it. Keith, 383. The king's commiſſioners, at the conference held at York 1568, pretended that none of the nobles, except the earl of Huntly, would ſubſcribe this paper till a warrant from the queen was produced, by which they were allowed to do ſo: this warrant they had in their cuſtody, and exhibited. Anderſ. vol. iv. part 2. 5[illegible]. This differs from Buchanan's account, who ſuppoſes that all the nobles preſent ſubſcribed this paper on the 19th, and that next day they obtained the approbation of what they had done, by way of ſecurity to themſelves, 355.

received a letter from thence, which represented, in the strongest terms, what would be the fatal effects of such an imprudent step. Melvil put this letter into the queen's hands, and enforced it with the utmost warmth. She not only disregarded these remonstrances, but communicated the matter to Bothwell; and Melvil, in order to save his life, was obliged to fly from court, whither he durst not return till the earl's rage began to abate *. At the same time Elizabeth warned Mary of the danger and infamy to which she should expose herself by such an indecent choice: but an advice from her met with still less regard †.

Three days after the rising of parliament Mary went from Edinburgh to Stirling, in order to visit the prince her son. Bothwell had now brought his schemes to

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* Melv. 156. According to Melvil, Lord Herries likewise remonstrated against the marriage, and conjured the queen, on his knees, to lay aside all thoughts of such a dishonourable alliance, 156. But it has been observed, that Herries is one of the nobles who subscribed the bond, April 19. Keith, 383. 2. That he is one of the witnesses to the marriage articles between the queen and Bothwell, May 14. Good. vol. ii. 61. 3. That he sat in council with Bothwell, May 17. Keith, 386. But this remonstrance of Lord Herries against the marriage happened before those made by Melvil himself, 157. Melvil's remonstrance must have happened some time before the meeting of parliament; for after offending Bothwell, he retired from court; he allowed his rage time to subside, and had again joined the queen when she was seized, April 24. 158. The time which must have elapsed, by this account of the matter, was perhaps sufficient to have gained Herries from being an opposer to become a promoter of the marriage. Perhaps Melvil may have committed some mistake with regard to this fact, so far as relates to lord Herries. He could not well be mistaken with regard to what himself did.

† Anders. vol. i. 106.

full maturity, and every precaution being taken which could render it ſafe to enter on the laſt and deciſive ſtep, the natural impetuoſity of his ſpirit did not ſuffer him to deliberate any longer. Under pretence of an expedition againſt the freebooters on the borders, he aſſembled his followers; and marching out of Edinburgh with a thouſand horſe, turned ſuddenly towards Linlithgow, met the queen on her return near that place, diſperſed her ſlender train without reſiſtance, ſeized on her perſon, and conducted her, together with a few of her courtiers as a priſoner to his caſtle at Dunbar. She expreſſed neither ſurpriſe, nor terror, nor indignation, at ſuch an outrage committed on her perſon, and ſuch an inſult offered to her authority, but ſeemed to yield without ſtruggle or regret ‡. Melvil was at that time one of her attendants; and the officer by whom he was ſeized, informed him that nothing was done without the queen's own conſent ¶. If we may rely on the letters publiſhed in Mary's name, the ſcheme had been communicated to her, and every ſtep towards it was taken with her participation and advice ‖.

Both the queen and Bothwell thought it of advantage to employ this appearrnce of violence. It afforded her a decent excuſe for her conduct; and while ſhe could plead that it was owing to force rather than choice, ſhe hoped that her reputation among foreigners at leaſt, would eſcape without cenſure, or be expoſed to leſs reproach. Bothwell could not help diſtruſting all the methods which had hitherto been uſed for vindicating him from any concern in the murder of the king. Something was ſtill wanting for his ſecurity, and for quieting his guilty fears. This was a pardon under the great ſeal. By the laws of Scotland the moſt heinous crime muſt be mentioned by name in a pardon, and then all leſſer offences are deemed to be included under the general clauſe, *and all other crimes whatſoever* §. To ſeize the perſon of the prince is high

‡ Keith, 383. ¶ Melv. 158. ‖ Good. vol. ii. 37.
§ Parl. 6. Jac. IV. c. 62.

treaſon; and Bothwell hoped that a pardon obtained for this would extend to every thing of which he had been accuſed *.

Bothwell having now got the queen's perſon into his hands, it would have been unbecoming either a politician or a man of gallantry to have delayed conſummating his ſchemes. For this purpoſe, he inſtantly commenced a ſuit, in order to obtain a ſentence of divorce from his own wife Lady Jean Gordon, the earl of Huntly's ſiſter. This proceſs was carried on, at the ſame time, both before proteſtant and popiſh judges; before the former, in the court of commiſſaries; and before the latter, in the ſpiritual court of the archbiſhop of St. Andrews, whoſe juriſdiction the queen had lately reſtored. The pretexts which he pleaded were trivial or ſcandalous. But his authority had greater weight than the juſtice of his cauſe; and in both courts, ſentence of divorce was pronounced, with the ſame indecent and ſuſpicious precipitancy †.

While this infamous tranſaction was carrying on, the queen reſided at Dunbar; detained as a priſoner, but treated with the utmoſt reſpect. Soon after Bothwell, with a numerous train of his dependents, conducted her to Edinburgh; but, inſtead of lodging her in the palace of Holyrood-houſe, he conveyed her to the caſtle, of which he was governor. The diſcontent of the nation rendered this precaution neceſſary. In an houſe unfortified, and of eaſy acceſs, the queen might have have been reſcued without difficulty out of his hands; in a place of ſtrength ſhe was ſecured from all the attempts of his enemies.

One ſmall difficulty ſtill remained to be ſurmounted. As the queen was kept in a ſort of captivity by Bothwell, a marriage concluded in that condition might be imputed to force, and be held invalid. In order to obviate this, Mary appeared in the court of ſeſſion, and, in preſence of the chancellor and other judges, and ſeveral of the nobility, declared that ſhe was now at full

* Anderſ. vol. iv. part ii. 61. — † Ibid. 132.

liberty; and though Bothwell's violence in ſeizing her perſon had at firſt excited her indignation, yet his reſpectful behaviour ſince that time had not only appeaſed her reſentment, but determined her to raiſe him to higher honours *.

What theſe were ſoon became public. The title of duke of Orkney was conferred upon Bothwell; and on the fifteenth of May his marriage with the queen, which had ſo long been the object of his wiſhes, and the motive of his crimes, was ſolemnized. The ceremony was performed in public, according to the rites of the proteſtant church, by Adam Bothwell, biſhop of Orkney, one of the few prelates who had embraced the Reformation, and on the ſame day was celebrated in private, according to the forms preſcribed by the popiſh religion †. The boldneſs with which Craig, the miniſter who was commanded to publiſh the banns, teſtified againſt the deſign; the ſmall number of the nobles who were preſent at the marriage; and the ſullen and diſreſpectful ſilence of the people when the queen appeared in public; were manifeſt ſymptoms of the violent and general diſſatisfaction of her own ſubjects. The refuſal of Le Croc, the French ambaſſador, to be preſent at the nuptial ceremony or entertainment, diſcovers the ſentiments of her allies with regard to this part of her conduct; and although every other action in Mary's life could be juſtified by the rules of prudence, or reconciled to the principles of virtue, this fatal marriage would remain an inconteſtable proof of her raſhneſs, if not of her guilt.

Mary's firſt care was to offer ſome apology for her conduct to the courts of France and England. The inſtructions to her ambaſſadors ſtill remain, and are drawn by a maſterly hand. But under all the artificial and falſe colouring ſhe employs, it is eaſy to diſcover, not only that many of the ſteps ſhe had taken were unjuſtifiable, but that ſhe herſelf was conſcious that they could not be juſtified ‡.

The title of king was the only thing which was not

* And. i. 87. † Id. 136. ii. 276. ‡ And. i. 89.

beſtowed upon Bothwell. Notwithſtanding her attachment to him, Mary remembered the inconveniencies which had ariſen from the raſh advancement of her former huſband to that honour. She agreed, however, that he ſhould ſign, in token of conſent, all the public writs iſſued in her name*. But though the queen withheld from him the title of king, he poſſeſſed all the reality of power. The queen's perſon was in his hands; ſhe was ſurrounded more cloſely than ever by his creatures; none of her ſubjects could obtain audience without his permiſſion; and, unleſs in his own preſence, none but his confidents were permitted to converſe with her †. The Scottiſh monarchs were accuſtomed to live among their ſubjects as fathers or as equals, without diſtruſt, and with little ſtate; armed guards ſtanding at the doors of the royal apartment, difficulty of acceſs, diſtance and retirement, were things unknown and unpopular.

These precautions were neceſſary for ſecuring to Bothwell the power which he had acquired. But, without being maſter of the perſon of the young prince, he eſteemed all that he had gained to be precarious and uncertain. The queen had committed her ſon to the care of the earl of Mar. The fidelity and loyalty of that nobleman were too well known to expect that he would be willing to put the prince into the hands of the man who was ſo violently ſuſpected of having murdered his father. Bothwell, however laboured to get the prince into his power, with an anxiety which gave riſe to the blackeſt ſuſpicions. All his addreſs, as well as authority, were employed to perſuade, or to force Mar into a compliance with his demands ¶. And it is no ſlight proof, both of the firmneſs and dexterity of that nobleman, that he preſerved a life of ſo much importance to the nation, from lying at the mercy of a man, whom fear or ambition might have prompted to violent attempts againſt it.

The eyes of the neighbouring nations were fixed, at that time, upon the great events which had happened

* Good. ii. 60. † And. i. 36. ¶ Melv. 260. Buch. 361

in Scotland during three months: a king murdered with the utmoſt cruelty, in the prime of his days, and in his capital city; the perſon ſuſpected of that odious crime ſuffered not only to appear publicly in every place, but admitted into the preſence of the queen, diſtinguiſhed by her favour, and intruſted with the chief direction of her affairs; ſubjected to a trial which was carried on with moſt ſhameleſs partiality, and acquitted by a ſentence which ſerved only to confirm the ſuſpicions of his guilt; divorced from his wife, on pretences frivolous or indecent; and after all this, inſtead of meeting with the ignominy due to his actions, or the puniſhment merited by his crimes, permitted openly, and without oppoſition, to marry a queen, the wife of the prince whom he had aſſaſſinated, and the guardian of thoſe laws which he had been guilty of violating. Such a quick ſucceſſion of incidents, ſo ſingular and ſo deteſtable, is not to be found in any other hiſtory. They left, in the opinion of foreigners, a mark of infamy, on the character of the nation. The Scots were held in abhorrence all over Europe; they durſt ſcarce appear any where in public; and after ſuffering ſo many atrocious deeds to paſs with impunity, they were univerſally reproached as men void of courage, or of humanity, as equally regardleſs of the reputation of their queen and the honour of their country ‡.

Theſe reproaches rouſed the nobles, who had been hitherto amuſed by Bothwell's artifices, or intimidated by his power. The manner in which he exerciſed the authority which he acquired, his repeated attempts to become maſter of the prince's perſon, together with ſome raſh threatenings againſt him, which he let fall ¶, added to the violence and promptneſs of their reſolutions. A conſiderable body of them aſſembled at Stirling, and entered into an aſſociation for the defence of the prince's perſon. Argyll, Athol, Mar, Morton, Glencairn, Home, Lindſay, Boyd, Murray of Tullibardin, Kirkaldy of Grange, and Maitland the ſecre-

‡ Anderſ. vol. i. 128, 134. Mel. 163. § See Append. No. XXI. ¶ Mely. 161.

tary, were the heads of this confederacy*. Stewart earl of Athol was remarkable for an uniform and bigotted attachment to popery; but his indignation on account of the murder of the king, to whom he was nearly allied, and his zeal for the safety of the prince, overcame, on this occasion, all considerations of religion, and united him with the most zealous protestants. Several of the other nobles acted, without question, from a laudable concern for the safety of the prince and the honour of their country. But the spirit which some of them discovered during the subsequent revolutions, leaves little room to doubt that ambition or resentment were the real motives of their conduct; and that, on many occasions, while they were pursuing ends just and necessary, they were actuated by principles and passions altogether unjustifiable.

The first accounts of this league filled the queen and Bothwell with great consternation. They were no strangers to the sentiments of the nation with respect to their conduct; and though their marriage had not met with public opposition, they knew that it had not been carried on without the secret disgust and murmurings of all ranks of men. They foresaw the violence with which this indignation would burst out, after having been so long suppressed; and in order to prepare for the storm, Mary issued a proclamation, requiring her subjects to take arms, and to attend her husband by a day appointed. At the same time, she published a sort of manifesto, in which she laboured to vindicate her government from those imputations which it had been loaded with, and employed the strongest terms to express her concern for the safety and welfare of the prince her son. Neither of these produced any considerable effect. Her proclamation was ill obeyed, and her manifesto met with little credit†.

The confederate lords carried on their preparations with no less activity, and with much more success. Among a warlike people, men of so much power and po-

*Keith, 394. †Keith, 387, 395, 396.

pularity found it an easy matter to raise an army. They were ready to march, before the queen and Bothwell were in a condition to resist them. The castle of Edinburgh was the place whither the queen ought naturally to have retired, and there her person might have been perfectly safe. But the confederates had fallen on means to shake or corrupt the fidelity of sir James Balfour, the deputy-governor, and Bothwell durst not commit to him such an important trust. He conducted the queen to the castle of Borthwick, and on the appearance of lord Home, with a body of his followers, before that place, he fled with precipitation to Dunbar, and was followed by the queen disguised in men's clothes. The confederates advanced towards Edinburgh, where Huntly endeavoured, in vain, to animate the inhabitants to defend the town against them. They entered without opposition, and were instantly joined by many of the citizens, whose zeal became the firmest support of their cause‖.

In order to set their own conduct in the most favourable light, and to rouse the public indignation against Bothwell, the nobles published a declaration of the motives which had induced them to take arms. All Bothwell's past crimes were enumerated, all his wicked intentions displayed and aggravated, and every true Scotsman was called upon to join them in avenging the one and in preventing the other§.

Mean while Bothwell assembled his forces at Dunbar, and as he had many dependents in that corner, he soon gathered such strength, that he ventured to advance towards the confederates. Their troops were not numerous; the suddenness and secrecy of their enterprise gave their friends at a distance no time to join them; and as it does not appear they were supported either with money or fed with hopes by the queen of England, they could not have kept long in a body. But on the other hand, Bothwell durst not risk a delay†. His army followed him with reluctance in this quarrel, and served him with no cordial affection; so that his only hope of

‖ Keith, 398. § Anders. vol. i. 128. † Keith, 401.

ſucceſs was in ſurpriſing the enemy, or in ſtriking the blow before his own troops had leiſure to recollect themſelves, or to imbibe the ſame unfavourable opinion of his actions which had ſpread over the reſt of the nation. Theſe motives determined the queen to march forward, with an inconſiderate and fatal ſpeed.

On the firſt intelligence of her approach, the confederates advanced to meet her. They found her forces drawn up almoſt on the ſame ground which the Engliſh had poſſeſſed at the battle of Pinkie. The numbers on both ſides were nearly equal; but there was no equality in point of diſcipline. The queen's army conſiſted chiefly of a multitude, haſtily aſſembled, without courage or experience in war. The troops of the confederates were compoſed of gentlemen of rank and reputation, followed by their moſt truſty dependents, who were no leſs brave than zealous†.

Le Croc the French ambaſſador, who was in the field, laboured, by negotiating both with the queen and the nobles, to put an end to the quarrel without the effuſion of blood. He repreſented to the confederates the queen's inclinations towards peace, and her willingneſs to pardon the offences which they had committed. Morton replied with warmth, that they had taken arms not againſt the queen, but againſt the murderer of her huſband; and if he were given up to juſtice, or baniſhed from her preſence, ſhe ſhould find them ready to yield the obedience which is due from ſubjects to their ſovereign. Glencairn added, that they did not come to aſk pardon for any offence, but to puniſh thoſe who had offended. Theſe haughty anſwers convined the ambaſſador that his mediation would be ineffectual, and that their paſſions were too high to allow them to liſten to any pacific propoſitions, or to think of retreating after having proceeded ſo far‖.

The queen's army was poſted to advantage, on a riſing ground. The confederates advanced to the attack reſolutely, but ſlowly, and with the caution which was natural on that unhappy field. Her troops were alarm-

† Cald. vol. ii. 48, 49. ‖ Keith, 401.

ed at their approach, and discovered no inclination to fight. Mary endeavoured to animate them; she wept, she threatened, she reproached them with cowardice, but all in vain. A few of Bothwell's immediate attendants were eager for the encounter; the rest stood wavering and irresolute, and some began to steal out of the field. Bothwell attempted to inspirit them, by offering to decide the quarrel, and to vindicate his own innocence, in single combat with any of his adversaries. Kirkaldy of Grange, Murray of Tullibardin, and lord Lindsay, contended for the honour of entering the lists against him. But this challenge proved to be a mere bravado. Either the consciousness of guilt deprived Bothwell of his wonted courage, or the queen by her authority, forbad the combat*.

After the symptoms of fear discovered by her followers, Mary would have been inexcusable had she hazarded a battle. To have retreated in the face of an enemy who had already surrounded the hill on which she stood with part of their cavalry, was utterly impracticable. In this situation, she was under the cruel necessity of putting herself into the hands of those subjects who had taken arms against her. She demanded an interview with Kirkaldy, a brave and generous man, who commanded an advanced body of the enemy. He, with the consent and in the name of the leaders of the party, promised that, on condition she would dismiss Bothwell from her presence, and govern the kingdom by the advice of her nobles, they would honour and obey her as their sovereign†.

During this parley, Bothwell took his last farewel of the queen, and rode off the field with a few followers. This dismal reverse happened exactly one month after that marriage which had cost him so many crimes to accomplish, and which leaves so foul a stain on Mary's memory.

As soon as Bothwell retired, Mary surrendered to Kirkaldy, who conducted her towards the confederate army, the leaders of which received her with much re-

* Cald. vol. [illegible] 50. † Good. vol. ii. 164. Melv. 165.

ſpect; and Morton, in their name, made ample profeſſions of their future loyalty and obedience*. But ſhe was treated by the common ſoldiers with the utmoſt inſolence and indignity. As ſhe marched along, they poured upon her all the opprobious names which are beſtowed only on the loweſt and moſt infamous criminals. Wherever ſhe turned her eyes, they held up before her a ſtandard, on which was painted the dead body of the late king, ſtretched on the ground, and the young prince kneeling before it, and uttering theſe words, "Judge and revenge my cauſe, O Lord!" Mary turned with horror from ſuch a ſhocking ſight. She began already to feel the wretched condition to which a captive prince is reduced. She uttered the moſt bitter complaints, ſhe melted into tears, and could ſcarce be kept from ſinking to the ground. The confederates carried her towards Edinburgh; and in ſpite of many delays, and after looking, with the fondneſs and credulity natural to the unfortunate, for ſome extraordinary relief, ſhe arrived there. The ſtreets were covered with multitudes, whom zeal or curioſity had drawn together to behold ſuch an unuſual ſcene. The queen, worn out with fatigue, covered with duſt, and bedewed with tears, was expoſed as a ſpectacle to her own ſubjects, and led to the provoſt's houſe. Notwithſtanding all her arguments and intreaties, the ſame ſtandard was carried before her, and the ſame inſults and reproaches repeated†. A woman, young, beautiful, and in diſtreſs, is naturally the object of compaſſion. The compariſon of their preſent miſery with their former ſplendour, uſually ſoftens us in favour of illuſtrious ſufferers. But the people beheld the deplorable ſituation of their ſovereign with inſenſibility; and ſo ſtrong was their perſuaſion of her guilt, and ſo great the violence of their indignation, that the ſufferings of their queen did not, in any degree, mitigate their reſentment, or procure her that ſympathy which is ſeldom denied to unfortunate princes.

* Good. vol. ii. 165. † Melv. 166. Buch. 364.

END OF VOLUME FIRST.